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DAVID SANDERS, PH.D.  
Director

**County of Los Angeles**  
**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**  
425 Shatto Place -- Los Angeles, California 90020  
(213) 351-5602

June 24, 2005

Board of Supervisors  
GLORIA MOLINA  
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YVONNE B. BURKE  
Second District  
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TO: Supervisor Gloria Molina, Chair  
Supervisor Michael D. Antonovich, Chair Pro Tem  
Supervisor Yvonne B. Burke  
Supervisor Zev Yaroslavsky  
Supervisor Don Knabe

FROM: David Sanders, Ph.D.  
Director

**APRIL 26, 2005 BOARD AGENDA ITEM # 22: REFUGIO PARA NIÑOS MONTHLY REPORT**

As the Department of Children and Family Services (DCFS) has been charged with providing monthly reports of Refugio Foster Family Agency (Refugio) to the Board, the following summarizes the monitoring visit conducted by DCFS, Out-of-Home Care Management Division, and fiscal reports which outline the activities for June 2005.

**FISCAL ISSUES**

DCFS's Finance Section has reported that Refugio's monthly expenditure report was not submitted timely and was submitted in the incorrect format. The Department's Finance Section further reports that they have brought this to Refugio's attention and the correct monthly expenditure report will be submitted on June 24, 2005 for the preceding month of May.

Nonetheless, the Department of Children and Family Services received a report from the Auditor-Controller's Office (A-C) dated June 21, 2005 indicating that Refugio was "overall" in compliance with the requirements contained in the Corrective Action Plan (CAP).

The A-C's report indicates that Refugio has discontinued expenditures on fundraising activities, nor were there any expenditures on the Multicultural Counseling Center, a mental health facility operated by Refugio, that had been improperly funded. As previously reported in our May 2005 report, Refugio has stopped planning fundraising activities and the Multicultural Center has been closed.

The A-C further reported that there was a total of \$789,682 in questioned costs. The breakdown is as follows:

Mental Health Center	\$206,549
Golf Tournament	17,000
Fundraising	178,933
Executive Director's Compensation	83,206
Executive Director's Pension	70,538
Upheld Findings from 9/2000 Report	233,456

A plan of payment has been established between the A-C and Refugio for the repayment of the questioned costs. Refugio will pay \$6,505 a month for the next 10 years. The A-C reports that Refugio has made two payments thus far.

Refugio was advised by the A-C not to use current foster care funds to repay the questioned costs.

The A-C also indicated in its report, that Refugio adheres to the most current Child Welfare League of America (CWLA) Salary Study in establishing the salary of its Executive Director and qualified ERISA plan. It was noted that the Interim CEO's levels are consistent with the salary and pension levels for an agency of Refugio's size as reflected in the 2003 CWLA Salary Study. A copy of the A-C's report is attached.

During the Out-of-Home Care Management Division staff site visit on June 13, 2005, Refugio's Chief Financial Officer (CFO) reported the agency's Income Statement for May 2005 showed an improvement in the agency's revenue. There is total of \$13,479 surplus. A copy of Refugio's Income Statement for the month of May 2005 is attached to the report.

Refugio's CFO reported that reduced salary expenditures would be reflected in surplus revenues. There were three former employees who had high salaries; additionally, three agency Supervising Children's Social Workers and eight agency Children's Social Workers services were no longer required; and lastly, the agency will not give employee bonuses, as was the past administration's practice. The other two areas of revenue would be from reduced legal fees and rent.

Refugio's CEO reported that some of the surplus will be used to increase payments to foster parents.

## **DCFS MONITORING VISITS**

The Out-of-Home Care Management Division monitor assigned to Refugio conducted a site visit on June 13, 2005. The scope of the monitoring included a meeting with Refugio's Interim CEO, Clinical Director, and CFO. As Refugio has historically been programmatically compliant with prior contracts and the A-C is reviewing the fiscal matters, the monitoring visits focused on safety issues that relate to performance and the structure of the Board of Directors.

## **SAFETY**

Refugio has a total of 130 certified foster homes with capacity for 350 children; 290 children are currently placed.

DCFS researched Out-of-Home Care Management Division's I-track database to query for Child Protection Hotline (CPHL) referrals and Special Incident Reports (SIR) from May 12, 2005 to June 15, 2005. There were no CPHL referrals during this reporting period.

Refugio FFA has been reporting special incidents in accordance with the reporting requirements as stipulated in the contract, Section 10.0, Program Reporting Requirements. During our review, we noted there were six SIRs received:

- Three of the SIRs indicated that the children went to school and failed to return to the foster homes after school. The foster parents acted appropriately as they looked for the children in the neighborhood before calling the police. Refugio reported the incidents in a timely manner and they were appropriately handled.
- The fourth SIR involved a child with a history of running away. This child reportedly ran away after spending only two hours in the foster home. The foster parents acted appropriately as they looked for the children in the neighborhood before calling the police. Refugio reported the incident in a timely manner and it was appropriately handled.
- The fifth and sixth SIRs involved children with minor injuries. One was for a small bruise on a child's face, and the other, a child who fell down and hit his nose. Neither of these injuries required medical attention or a referral to the CPHL.
- The Out-of-Home Care Management Division also reviewed the files of four children currently placed with Refugio to ensure their safety in the area of visitations, as stipulated in the Foster Care Agreement, Statement of Work, Section 1.10, Child Safety, Supervision, and Certified Family Home Environment. The agency was found to be in compliance with contract requirements.

Based upon our current review, no significant trends of abuse/neglect were noted.



## **BOARD STRUCTURE**

Refugio's CAP requires that the agency's Board of Directors consist of seven members at all times.

- During the June 13, 2005 site visit to Refugio, the Interim CEO reported that Refugio's Board has six members as one resigned. However, the CEO stated that the Board has received and is reviewing the resume of two applicants for consideration as Board members.
- As reported in the May 2005 report, Refugio contracted with Harrington Group to conduct the OMB Circular training of its Board in accordance with Exhibit U. The first session took place on May 31, 2005, and the second on June 14, 2005. The entire training would consist of four two-hour sessions, and the topics will include OMB Circular A-122, Role of the Board of Directors, Auditor-Controller Handbook, and Internal Control Systems. The A-C's report indicates that there would be make-up sessions for the new Board members/staff who missed the sessions. Copies of the sign-in logs for the two sessions provided to date are attached.
- Refugio held a Board meeting on May 12, 2005. A review of the Board meeting minutes for this date did not reflect that the Board reviewed licensing and incidents reports as required per Title 22, Foster Family Agencies Regulations, Section 88063(8). The May 2005 report covered the review of Board meeting minutes for the months February, March, and April 2005. This was a recommendation noted in the May 2005 report and was reiterated to the Interim CEO during this visit.

## **CONCLUSION**

The information provided shows that there are concerns regarding Refugio's review of licensing and incident reports and failure to submit timely monthly expenditure reports in the correct format. Refugio has also made great strides in complying with the CAP, they are cooperating with the DCFS Finance Section to ensure timely monthly expenditure reports are submitted and with the A-C. There is an alternative plan of action if needed:

### **Alternative Plan Of Action**

- Every effort will be made to maintain the children with the same foster parents to avoid placement disruption.
- CSWs who have children placed with Refugio will be instructed to make immediate and regular visits of the children in the Refugio foster homes. If the children's safety is in question, the CSWs will take appropriate action that may include replacing the children.
- The Refugio foster parents will be informed immediately by telephone and letter of the pending termination of the contract with Refugio and the County's plan to review

various options with them regarding their ability to continue care of DCFS children placed with them.

- In collaboration with Community Care Licensing (CCL), a meeting will be scheduled immediately with all foster parents where they will be informed of their options to associate themselves with another Foster Family Agency or become licensed foster parents with the State.
- The foster parents will be told to continue to utilize the services of their Agency social worker. If they are not receiving the services from Refugio and/or if safety situations arise, they will be instructed to contact the child's CSW immediately.
- During this entire process, DCFS will be working closely with CCL to consider various options, such as certifying foster parents pending licensure or certification; in the event the contract with Refugio requires immediate termination.

If you have any questions please call me, or your staff may contact Helen Berberian, Board Relations Manager at (213) 351-5530.

DS:LP:ES  
EH:dv

#### Attachments

c: Chief Administrative Officer  
County Counsel  
Board of Supervisors Executive Officer



J. TYLER McCALLEY  
AUDITOR-CONTROLLER

**COUNTY OF LOS ANGELES  
DEPARTMENT OF AUDITOR-CONTROLLER**

KENNETH HAHN HALL OF ADMINISTRATION  
500 WEST TEMPLE STREET, ROOM 525  
LOS ANGELES, CALIFORNIA 90012-2766  
PHONE: (213) 974-8301 FAX: (213) 626-5427

June 21, 2005

TO: David Sanders, Ph.D., Director  
Department of Children and Family Services

FROM: J. Tyler McCauley *JTM*  
Auditor-Controller

SUBJECT: **MONTHLY EVALUATION OF REFUGIO PARA NIÑOS' COMPLIANCE  
WITH ITS CORRECTIVE ACTION PLAN**

At its April 26, 2005 meeting, the Board of Supervisors directed the Department of Children and Family Services (DCFS), in consultation with the Auditor-Controller to report back to the Board on a monthly basis regarding Refugio Para Niños' (Refugio) compliance with its Corrective Action Plan. The Action Plan is part of the contract between the County and Refugio which was signed on April 28, 2005.

Overall, Refugio is in compliance with the requirements contained in its Corrective Action Plan. The following is our first monthly report to your Department.

**Recovery of Questioned Expenditures**

**Review of Fundraising Expenditures**

Refugio's Corrective Action Plan requires that the Auditor review the Agency's fundraising expenditures for reasonableness and allowability, determine the effect of its findings on the questioned fundraising expenditures and provide DCFS with a revised questioned fundraising cost total and total questioned expenditures.

We completed our review of Refugio's fundraising expenditures identified in our January 18, 2005 report entitled "Allegations Against Refugio Para Niños FFA" and advised DCFS on May 13, 2005 that it should pursue the recovery of \$178,933 in fundraising expenditures.

To ensure prospectively that Refugio has discontinued expending FFA funds on fundraising activities, we also reviewed the Agency's accounting records for May 2005. We found no instances where FFA funds were expended on fundraising activities, or on

*"To Enrich Lives Through Effective and Caring Service"*

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the Multicultural Counseling Center (a mental health facility operated by Refugio that previously had been improperly funded with FFA funding).

Conclusion: Refugio complied. Refugio has discontinued the practice of expending foster care funds for fundraising activities and the Multicultural Community Center. During May 2005, Refugio did not use current foster care funds for these two activities.

#### Signed Repayment Agreement

Refugio was required to enter into a repayment agreement with the County within two weeks of the Auditor-Controller's determination of the total questioned expenditures, or upon execution of the Refugio's new contract with the County, whichever is later.

On May 13, 2005, DCFS was advised that the total questioned costs from our September 2000 Fiscal Audit of Refugio and from the January 2005 Allegations Against Refugio was \$789,682 (which includes the questioned fundraising costs of \$178,933 discussed above).

On May 23, 2005, Refugio entered into a repayment agreement with DCFS for the questioned costs of \$789,682 which was 10 calendar days after the Auditor-Controller's determination of the total questioned expenditures.

Conclusion: Refugio complied. Refugio entered into a repayment agreement with DCFS.

#### Timeliness of Repayment

Under the terms of the agreement, Refugio will repay \$6,505 monthly to DCFS with the first payment due on June 10, 2005 and continuing thereafter on the 10<sup>th</sup> of each month until fully repaid.

Refugio provided DCFS with an initial payment of \$9,091.67 prior to its signing the Repayment Agreement. As of the date of this report, in addition to its initial payment, Refugio has made its first two installment payments of \$6,505 each to the County. Refugio paid DCFS the first (due June 10, 2005) and second (due July 15, 2005) installment payments on June 2, 2005.

Conclusion: Refugio complied. Refugio is making payments in accordance with its repayment agreement with DCFS.

#### Source of Funds

Refugio is not permitted to use current period foster care funds to repay the County the questioned costs included in the Agency's repayment agreement. Refugio has made

David Sanders, Ph.D.  
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the three payments to DCFS from its Business Money Market Account. We reviewed bank records related to this account and verified that no current period FFA funding was deposited into this account.

Conclusion: Refugio complied. Refugio has not used current period foster care funds to make payments under the Agency's repayment agreement with the County.

### Education of Refugio's Board of Directors and Personnel

#### Training of Board Members and Personnel

As a provision of its Corrective Action Plan, Refugio is required to provide training to the members of its Board of Directors and personnel on the provisions of the Office of Management and Budget Circular A-122 and the Auditor-Controller Contract Accounting and Administration Handbook. Specifically, Refugio is required to identify a trainer, and provide a training schedule and curriculum to DCFS by April 1, 2005, initiate training no more than two weeks after submission of the training schedule and complete the training within 3 months of the execution date of the new contract. Finally, arrangements to train new incoming Board members and personnel on these topics had to be made by Refugio.

On March 30, 2005, Refugio engaged the Harrington Group, CPAs to conduct four training sessions on the following topics:

<u>Scheduled Date</u>	<u>Topic</u>
5/31/05	OMB Circular A-122.
6/14/05	Role of the Board of Directors
6/28/05	Auditor-Controller Handbook
7/12/05	Internal Control Systems

The trainings on OMB Circular A-122 and the Role of Board of Directors were held as scheduled and both training classes, along with the meeting of the Board of Directors, which followed, were attended by a representative of the Department of Auditor-Controller.

Refugio's management indicated that when new Board members or staff begin service, or existing Board members/staff miss training sessions, they will be required to attend make-up training sessions. These make-up sessions may be taught by Harrington Group. However, in some instances, these individuals may be provided with a packet of material developed by Harrington Group to read on a self-study basis.

Conclusion: Refugio complied. Refugio entered into an agreement to provide training to its Board of Directors and personnel as required by the Corrective Action Plan.

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We found the training on OMB Circular A-122 and the Role of the Board of Directors to be adequate and Refugio has established a plan for training incoming Board of Directors and staff members, along with existing members/personnel that miss training sessions.

### **Corrective Action Plan for Structure of Refugio's Board of Directors**

#### **Composition of the Board**

Refugio's Corrective Action Plan requires that the Agency's Board of Directors at all times consist of at least seven individuals, none of whom are interested parties or employees of Refugio.

Refugio appears to have made a good faith effort to comply with the Corrective Action Plan. However, the Agency has had some difficulties retaining Board members. As a result, membership on the Board has fallen below the seven member level on a couple of occasions. Refugio's Board accepted the resignation letter of one of its members at its June 14<sup>th</sup> meeting, reducing its current membership to six. Despite this, Refugio's Board Chairman indicated that several qualified applicants have submitted their resumes for consideration. Refugio is in the process of formally changing its bylaws to reflect the seven member Board requirement.

Based on interviews with selected Board members, along with limited background inquiries on the current six members of Refugio's new Board of Directors, it does not appear that any of the Board members are an interested party as defined in the California Corporations Code, or are a current or former employee of Refugio.

**Conclusion:** While current Board membership is below the seven members, Refugio has made a good faith effort to comply with the seven member requirement included in Refugio's Corrective Action Plan. Nothing has come to our attention that would suggest that any of Refugio's current Board members are an interested party, or are current or former employees of Refugio.

### **Excessive Compensation**

#### **Employee Salaries and Pension Benefits**

The Corrective Action Plan requires that Refugio adhere to the most current Child Welfare League of America (CWLA) Salary Study in establishing the salary of its new Executive Director. For pension purposes, Refugio's new Executive Director may only participate in a qualified ERISA plan that is available to the Agency's other employees. In the event Refugio provides employee benefits to its Executive Director through a plan other than a qualified ERISA plan, Refugio shall refer to the applicable CWLA Salary Study to determine "mean" contribution level for applicable employee benefits plan.

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Refugio has not yet hired a permanent CEO. However, at the June 14, 2005, Board meeting, it was announced that Refugio had engaged in an executive search to replace Refugio's interim CEO. Refugio's current interim CEO is paid \$109,416 annually, which is reasonable for an Agency of Refugio's size. The second highest paid employee is the Clinical Director at \$73,800 annually.

Refugio also funds a deferred annuity pension plan for the interim CEO. This plan was initiated in 2001 while the interim CEO was serving as Refugio's Administrator and will be funded over a ten-year period. The current contribution levels to the interim CEO's deferred annuity pension plan are below the "mean" contribution level reflected in the 2003 CWLA Salary Study. However, should the interim CEO resume his responsibilities as Administrator, the appropriateness of his salary and the level of Refugio's contributions to the deferred annuity pension plan would need to be reevaluated.

Conclusion: Refugio complied. Currently, the interim CEO's compensation levels are consistent with the salary and pension levels for an agency of Refugio's size as reflected in the 2003 CWLA Salary Study.

If you have any questions, please contact me, or your staff contact Mike McWatters at (626) 293-1109.

JTM:JS:MWM:AF

c: Audit Committee

# Role of Board of Directors June 14, 2005

**Trainer**  
**Tayika Dennis**  
**Harrington & Group**

Name

Title

CEO  
Frank [unclear]  
Ver. Ver. [unclear]  
ROBERT NAVARRO  
MARK SANTABARRO  
Seathin Johnson  
Dawn [unclear]  
Michael Gilling  
Gina Reese  
Judith [unclear]  
Doris Thomas  
[unclear]  
Carla Garcia-Ramsay  
Ed Aguirre

HRS  
Board Member  
CEO  
Board Member  
Supervisor  
BOARD MEMBER  
General Director  
Board Member  
Supervisor  
Agency Mgr.  
Supervisor  
Board Member



OMB Circular A-122 Training  
May 31, 2005

I

Trainer  
Mr. Joe Harrington  
Harrington & Group

Name	Title
Cynthia Camul	Ph.D. / FLOW Social Work Supervisor
Gloria Davis	MSW / Nurse -
Dayle Thomas	MS - Social Work Supervisor
Kees - Topog	MFT - Foster Parent Coordinator
AL FONG	LA COUNTY
MIKE GERING	Michael N. Gering
Clair Jones	Clinical Director RPO
MARK SANTAGUIDA	BA
Vera Van Voorst	Booms
Shirley Johnson	David
Teresa Bern	H.R.D.
TOMAS FLOZ	C.O.
ROLAND N.	C.P.O.
Elizabeth E. Bern	BOD
Ed Aguirre	BOD
Capitane. Cones	Social Work Supervisor

# REFUGIO PARA NINOS

*Foster Family Agency*

**MINUTES OF A MEETING OF DIRECTOR(S)** Refugio Para Ninos, Foster Family Agency (the "Corporation") held at 100 N. Citrus Street, Suite 205 on this 12<sup>th</sup> day of May, 2005.

1. The following Members were present: Vern Van Voorst, Judith E. Bean, Edward O. Aguirre, Michael Gering, Heather Johnson and Mark W. Santarsiero. 2-1

Apologies/Absent: James Henning 6

2. **UPON A MOTION DULY MADE**, seconded and unanimously carried, Vern Van Voorst acted as Chairperson of the meeting and Judy Bean as Secretary of the meeting.
3. The chairperson presented to the meeting and thereupon the following resolutions were offered, seconded and unanimously adopted.

## IT WAS RESOLVED THAT:

4. Vern Van Voorst introduced two new board member, Mrs. Heather Johnson, M.A., M.F.T., Mrs. Johnson is currently working for ENKI as a Clinic Manager, and Mr. Mark Santarsiero, he is currently working as a CEO for Marshall and Stevens Incorporated.

Vern announced there is a possibility Mr. Jim Henning might resign as a board member. His resignation if not final yet. Vern will be speaking to Mr. Henning to see if there is a possibility he might stay with the board.

A motion for a resolution was proposed in reference to hold matter regarding former executive director Joseph Steinberg's employment contract for further clarification and legal counsel.

Vern addressed to board members a Schedule Rating Form; this form will be used to obtain professional background information for all social workers, supervisors, and management. These forms have been submitted to Human Resource Department for completion.

Magnolia Rodriguez, current CPR-First Aid trainer attended board meeting to clarify accusation of using CPR training to recruit foster parents for former Executive Director, Joseph Steinberg.

A current foster parent attended to testify that Magnolia Rodriguez was indeed recruiting them. Maria Gomez, current foster parent of RPN had attended in

A current foster parent attended to testify that Magnolia Rodriguez was indeed recruiting them. Maria Gomez, current foster parent of RPN had attended in additions to a few other foster parents to Mr. Steinberg's Orientation. He testified that Magnolia Rodriguez was part of the recruiting team.

Mr. Ed Aguirre, board member addressed board members his concern in reference to complaints given to him in reference to conflict/dissentation happening at RPN.

He and Judy Bean, board member will be meeting with some supervisors at their request this on May 15, 2005.

Vern Van Voorst, President of Board of Directors of RPN, requested a motion to approve resolution drafted by Jim Corn, attorney at law in reference to amend contract. Michael Gering opposed. He suggested Board of Directors consults legal advise before making a final decision to amend contract.

It was approved by unanimous vote, by all board members to further wait to obtain additional legal counsel before a final decision is made for such contract. MOTION PASSED AND APPROVED BY ALL BOARD MEMBERS.

Judy Bean, current board member was appointed to serve as a Board's Secretary/Treasurer. There is a possibility that Mr. James Henning might resign from Board. Board unanimously voted. MOTION APPROVED.

Teresa Reta, HRD announced Mr. Harrington, from Harrington and Group will commence his OMB training on next board meeting. Tentative days were addressed; one: May 31, 2005 or two: June 7, 2005. It was mutually decided by all board members that May 31, 2005 would be a good choice.

5. There being no further business to come before the meeting, the meeting was adjourned.
6. DATED in the State of California, May 12<sup>th</sup>, 2005.

5-27-05  
Date

Vern Van Voorst  
Vern Van Voorst (Chairperson)

# **DEPARTMENT OF CHILDREN AND FAMILY SERVICES** **FOSTER FAMILY AGENCY AGREEMENT** **MONTHLY EXPENDITURE REPORT**

AGENCY: REFUGIO PARA NINO

Reporting Period: 05 - 31 - 05

ADDRESS: 100 N. Citrus avenue, Suite 205, West Covina, CA 91791

CONTACT: Tomas Fernandez

PHONE: (626) 858 - 8687

## **REVENUE AND EXPENDITURE SUMMARY**

	Current Month	Year - to - Date
<b>A. Revenue:</b>		
Other Income (Investments, Interest, Fundraising, etc.)	37,058.38	40,091.23
1. AFDC - FC FFA Revenue (LA COUNTY)	403,183.00	2,527,049.00
2. Other Government Revenues	22,992.00	29,824.89
<b>Total Revenue</b>	<b>\$ 463,233.38</b>	<b>\$ 2,596,965.12</b>
<b>B. Contract Expenditures:</b>		
1. Administration Payroll	35,610.18	185,744.21
2. Recruitment Payroll		
3. Training Payroll	720.00	720.00
4. Telephone & Telegraph	3,362.05	21,973.15
5. Postage & Freight	318.82	4,731.03
6. Office Supplies	7,325.81	32,189.96
7. Conferences, Meetings, In-Service Training	8,482.89	8,482.89
8. Memberships, Subscriptions and Dues		
9. Printing and Publications	1,054.33	1,220.03
10. Bonding, General Insurance	7,049.23	34,135.52
11. Advertising	3,180.00	25,495.09
12. Miscellaneous	43,644.23	257,388.90
<b>Sub-total</b>	<b>\$ 120,747.54</b>	<b>\$ 572,080.78</b>
13. Building Rents and Leases	12,274.35	70,497.84
14. Acquisition Mortgage Principal and Interest		
15. Property Appraisal Fees		
16. Property Taxes		12,848.00
17. Building and Equipment Insurance		
18. Utilities	387.83	719.76
19. Building and Equipment		
20. Equipment Leases	2,971.34	10,982.78
21. Equipment Depreciation Expense		
22. Expendable Equipment	4,140.89	4,757.11
23. Vehicle Leases		
24. Vehicle Depreciation		
25. Vehicle Operating Costs	5,108.06	14,798.81
<b>Sub-total</b>	<b>\$ 24,882.47</b>	<b>\$ 114,804.30</b>
26. Total Paid to Certified Family Homes C.F.H.	193,064.84	1,144,540.91
27. Other Child Related Costs (Not Provided by CFHs)	14,980.05	36,896.96
28. Social Worker Payroll	129,528.77	592,073.21
29. Social Worker Contracts		
<b>Sub-total</b>	<b>\$ 337,573.66</b>	<b>1,773,511.08</b>
<b>Total Expenditures</b>	<b>\$ 483,203.67</b>	<b>\$ 2,460,196.16</b>
<b>Net Income (Deficit)</b>	<b>\$ (19,970.29)</b>	<b>\$ 136,788.96</b>



DAVID SANDERS, PH.D.  
Director

**County of Los Angeles**  
**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**  
425 Shatto Place -- Los Angeles, California 90020  
(213) 351-5602

Board of Supervisors

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August 26, 2005

TO: Supervisor Gloria Molina, Chair  
Supervisor Michael D. Antonovich, Chair Pro Tem  
Supervisor Yvonne B. Burke  
Supervisor Zev Yaroslavsky  
Supervisor Don Knabe

FROM: David Sanders, Ph.D.   
Director

**APRIL 26, 2005 BOARD AGENDA ITEM #22: REFUGIO PARA NIÑOS MONTHLY REPORT**

As the Department of Children and Family Services (DCFS) has been charged with providing monthly reports of Refugio Foster Family Agency (Refugio) to the Board, the following summarizes the monitoring visit conducted by DCFS, Out-of-Home-Care Management Division (OHCMD), and fiscal reports from the Auditor-Controller and DCFS Fiscal Monitoring and Special Payments Section, which outline the activities for July 2005.

**FISCAL ISSUES**

The DCFS Fiscal Monitoring and Special Payments Section reported that Refugio submitted its July monthly expenditure report timely, and there were no issues to report.

The Department received the Auditor-Controller's (A-C) Monthly Evaluation report of Refugio dated August 18, 2005. The report indicated that Refugio continues to be "overall" in compliance with the requirements contained in the Corrective Action Plan (CAP).

The A-C's report further indicates that Refugio discontinued the practice of expending foster care funds for fundraising activities and the Multicultural Counseling Center.



Refugio continues to make payments in accordance with its repayment agreement with DCFS and has not used current-period foster care funds to make payments required under its repayment agreement. In addition, Refugio has complied with its CAP requirements concerning training of Board of Director personnel; and Refugio continues to comply with regard to Board membership. A copy of the A-C's report is attached (Attachment I).

Refugio's monthly expenditure report is attached (Attachment II).

### **DCFS MONITORING VISITS**

The scope of our review of Refugio has been expanded to include monitoring performance with regard to safety, permanency, emotional well-being and education/emancipation. The Out-of-Home Care Management Division (OHCMD) Monitor conducted site visits from August 3, 2005 to August 9, 2005 that included Refugio's main office in West Covina and satellite office in Rancho Cucamonga. The Orange County satellite office was not visited because no DCFS children are placed out there. Our Monitor met with the Interim Chief Executive Officer (CEO), Chief Financial Officer (CFO) and Clinical Director during the site visits. As Refugio has historically been programmatically compliant with prior contracts and the A-C is reviewing the fiscal matters, the monitoring visit focused on safety issues that relate to performance and the structure of its Board of Directors.

### **SAFETY**

During our preliminary fieldwork, the files of 22 current foster children were reviewed, along with the files of ten certified foster parents, and ten discharged foster children. The homes of the foster parents being reviewed are visited, and the foster parents and foster children placed in those homes are interviewed as part of the monitoring process. Due to time constraints, the visits to the foster homes have not been conducted. An update of the result will be provided in the September 26, 2005 report.

Preliminary results of the 22 files that were reviewed indicate that the majority of Children's Needs and Services Plans were not individualized and dated. Updated Children's Needs and Services Plans did not reflect that the DCFS Children's Social Workers, the children and the certified foster parents participated in the development of the Plans as required in the Contract/Agreement between DCFS and the Foster Family Agencies (FFA), and in Title XXII regulations.

Refugio has 130 certified foster homes where 301 children are currently placed.

DCFS researched OHCMD's I-track database to query for Child Protection Hotline (CPHL) referrals and Special Incident Reports (SIR) from July 12, 2005 to August 15, 2005. There was one CPHL referral during this reporting period.

Refugio FFA has been reporting special incidents in accordance with the reporting requirements as stipulated in the contract, Section 10.0, Program Reporting Requirements. During our review, we noted there were 12 SIRs received:

- One SIR indicated that a 15-year-old child ran away after saying good night to her foster mother. The foster mother acted appropriately by calling the local police station and making a missing person's report, and later calling Refugio's social worker. Refugio reported the incident in a timely manner, it was appropriately handled, and it did not require a referral to the CPHL.
- The second SIR indicated that a 16-year-old child was given permission to visit a friend after a baseball game and return by 7:30 p.m. When the child did not come home, the foster parents acted appropriately by calling the local police station to file a missing person's report. The child returned the following day. Refugio reported the incident in a timely manner, it was appropriately handled, and it did not require a referral to the CPHL.
- The third SIR involved a 16-year-old child who ran away. The foster mother discovered that the child had run away when she went to the child's bedroom to inform her that Court transportation had arrived. The foster mother acted appropriately by calling the local Sheriff's Station and filing a missing person's report. Refugio reported the incident in a timely manner, it was appropriately handled, and it did not require a referral to the CPHL.
- The fourth SIR involved a three-year-old child who had insect bites behind his left ear, left cheek, and near his mouth. The foster mother acted appropriately as she took the child to the emergency room. Refugio reported the incident in a timely manner, it was appropriately handled, and it did not require a referral to the CPHL.
- The fifth SIR involved an 18-month-old child who rocked back and forth to comfort himself. He hit his head on a chair and sustained a small bump to the back of his head. The foster mother acted appropriately by taking the child to the doctor. However, she did not report the incident in a timely manner, and was reminded by Refugio's social worker that she must report serious incidents immediately to the agency. Refugio reported the incident in a timely manner and it did not require a referral to the CPHL.
- The sixth SIR involved a 16-year-old child who was involved in a physical altercation with the foster mother's legal guardianship daughter when the foster mother left the two children unattended. She was advised not to leave the children by themselves, and received a one-hour training on appropriate supervision. Refugio reported the incident in a timely manner, it was appropriately handled, and it did not require a referral to the CPHL.



- The seventh SIR involved a 15-year-old teen mother. The foster mother called Refugio's social worker to report her concerns about the level of care the teen mother was giving to her baby. A report to the CPHL was made, and the child and her baby were replaced.
- The eighth SIR involved a ten-year-old child who was suspended from school for inappropriate sexual behavior. Refugio reported the incident in a timely manner, it was appropriately handled, and it did not require a referral to the CPHL.
- The ninth SIR involved a ten-year-old child who disclosed to Refugio's social worker that he wanted to kill himself. Refugio's social worker took the child to Kaiser where the child was admitted on a 5150 psychiatric hold. Refugio reported the incident in a timely manner, it was appropriately handled, and it did not require a referral to the CPHL.
- The tenth SIR involved a 10-year-old child who was taken to the hospital after displaying erratic and violent behavior. It was feared that he might be a danger to himself and others. Refugio reported the incident in a timely manner, it was appropriately handled, and it did not require a referral to the CPHL.
- The eleventh SIR involved a 12-year-old child who was hospitalized by her therapist after the child experienced auditory hallucinations. Refugio reported the incident in a timely manner, it was appropriately handled, and it did not require a referral to the CPHL.
- The twelfth SIR involved four siblings ages eleven, nine, seven and six years old who complained they were inappropriately disciplined by their babysitter (the foster father's mother) when she grabbed a child by the arm and hit him on the left wrist with a small pocket purse. The children also disclosed that the babysitter calls them stupid and crazy. Although Refugio reported the incident in a timely manner and informed the foster parent of the situation, Refugio failed to call the CPHL. Our Monitor contacted the Interim CEO and told him that the incident needed to be reported to the CPHL. The CPHL did not take the referral. However, the issue that remains is Refugio's social workers are mandated reporters and they failed to call the CPHL when the disclosure was made.

Our current review indicates that the kinds of incidents reported are not unusual. Refugio failed to report an alleged incident of abuse to the CPHL; however, the agency is acting properly by reporting the serious incidents in a timely manner. There was one CPHL referral, but no trends of abuse/neglect were noted.

#### **BOARD STRUCTURE**



Refugio's CAP requires that the agency's Board of Directors consist of seven members at all times.

- On August 8, 2005, Refugio's Interim CEO reported that their Board has seven members, which was confirmed on this same date by the CFO, and has complied with the CAP (Exhibit U) to have seven Board Members on their Board. A list of the names of Refugio's current Board Members was provided to the Board of Supervisors in our July 26, 2005 monthly report.
- During the site visit, the CFO stated that the Board Member who has not received the OMB training would be given copies of the training curriculum. At the end of each chapter, there is a quiz, which the Board Member is responsible for answering. On August 4, 2005, Al Fong from the A-C's Office indicated to our Monitor that his office gave approval for the process of training the new Board Member. As per Refugio's Interim CEO, the agency's CFO will be responsible for the supervision of this process.
- Refugio held a Board meeting on August 9, 2005. Our Monitor requested a copy of the Board meeting minutes and was told by the President of the Board that the document was not available. A copy of the minutes was not ready as of this writing.
- On August 10, 2005, Refugio's Interim CEO reported to our Monitor that on August 9, 2005, Refugio's Board recommended that one of the Board Members, Edward Aguirre, should be appointed CEO and the Interim CEO become the Chief Operating Officer (COO). On August 11, 2005, Al Fong also called our Monitor to report this information. Our Monitor contacted Refugio's President of the Board to corroborate the appointment of Mr. Aguirre as Refugio's CEO. He indicated that, in fact, Mr. Aguirre would temporarily become the CEO until internal changes are made. A review of Mr. Aguirre's resume indicates that he does not qualify for the CEO position as, per Refugio's Program Statement, he does not possess a master's degree in the social sciences, has no FFA experience and/or a managerial position in child/family services. Refugio's President of the Board and the Interim CEO were made aware of that Mr. Aguirre does not qualify to be Refugio's CEO.

A copy of Mr. Aguirre's resume (Attachment III) and Refugio's qualifications for the CEO position as per the agency's Program Statement (Attachment IV) are attached.

## **CONCLUSION**

Our scope of review is limited to this Board order and monitoring of performance with regard to safety, permanency, emotional well-being and education/emancipation. However, some programmatic concerns related to the Needs and Services Plans were noted. The Needs and Services Plans were not being individualized, and their timeliness was in question, as the Plans were not dated. Updated Needs and Services Plans did not reflect that the DCFS CSWs, the children and the certified foster parents

participated in the development of the Plans as specified in the Contract, Section 10.2, the Contract, Statement of Work, Sections 4.14, 4.15, and 4.17, and Title XXII, Division 6, Chapter 8.8, Sections 88070, 88070.1, 88068.2, 88068.3, 88069.1. Additionally, one of Refugio's social workers failed to call the CPHL when allegations of inappropriate discipline to four siblings by their babysitter was disclosed. The Contract, Exhibit A-VIII, Special Reporting Guide for Foster Family Agencies, Section 8, Child Abuse, states "all personnel are required by law to report known, suspected, or alleged incidents of child abuse." As these are program Contract/Title XXII related issues, we will request that the A-C, Countywide Contract Monitoring Division, initiates a program audit of Refugio. Preliminary results of twenty-two (22) files that were reviewed indicate that the majority of Needs and Services Plans were not individualized and dated. Updated Needs and Services Plans did not reflect that the DCFS Children's Social Workers (CSW), the children and the certified foster parents participated in the development of the Plans as required in the Contract/Agreement between DCFS and the Foster Family Agencies (FFA), and in Title XXII regulations.

Although Refugio is cooperating with the A-C and DCFS, the alternative plan of action remains the same as follows, if needed:

#### **Alternative Plan of Action**

- Every effort will be made to maintain the children with the same foster parents to avoid placement disruption.
- CSWs who have children placed with Refugio will be instructed to make immediate and regular visits of the children in the Refugio foster homes. If the children's safety is in question, the CSWs will take appropriate action that may include replacing the children.
- The Refugio foster parents will be informed immediately by telephone and letter of the pending termination of the contract with Refugio and the County's plan to review various options with them regarding their ability to continue care of DCFS children placed with them.
- In collaboration with Community Care Licensing (CCL), a meeting will be scheduled immediately with all foster parents where they will be informed of their options to associate themselves with another Foster Family Agency or become licensed foster parents with the State.
- The foster parents will be told to continue to utilize the services of their agency social worker. If they are not receiving the services from Refugio and/or if safety situations arise, they will be instructed to contact the child's CSW immediately.



Each Supervisor  
August 26, 2005  
Page 7 of 7

- During this entire process, DCFS will be working closely with CCL to consider various options, such as certifying foster parents pending licensure or certification; in the event the contract with Refugio requires immediate termination.

If you have any questions please call me, or your staff may contact Helen Berberian, Board Relations Manager at (213) 351-5530.

DS:LP:ES  
EH:dv

#### Attachments

c: Chief Administrative Officer  
County Counsel  
Auditor-Controller  
Board of Supervisors Executive Officer

ATTACHMENT I



J. TYLER McCAULEY  
AUDITOR-CONTROLLER

COUNTY OF LOS ANGELES  
DEPARTMENT OF AUDITOR-CONTROLLER

KENNETH HAHN HALL OF ADMINISTRATION  
500 WEST TEMPLE STREET, ROOM 525  
LOS ANGELES, CALIFORNIA 90012-2766  
PHONE: (213) 974-8301 FAX: (213) 626-5427

August 18, 2005

TO: David Sanders, Ph.D., Director  
Department of Children and Family Services

FROM: J. Tyler McCauley *tw*  
Auditor-Controller

SUBJECT: MONTHLY EVALUATION OF REFUGIO PARA NIÑOS' COMPLIANCE  
WITH ITS CORRECTIVE ACTION PLAN - 3<sup>rd</sup> Status Report

At its April 26, 2005 meeting, the Board of Supervisors directed the Department of Children and Family Services (DCFS), in consultation with the Auditor-Controller to report back to the Board on a monthly basis regarding Refugio Para Niños' (Refugio) compliance with its Corrective Action Plan (CAP). The CAP is part of the contract between the County and Refugio which was signed on April 28, 2005.

Overall, Refugio continues to be in compliance with the requirements contained in its CAP. The following is our third monthly report to your Department and primarily addresses activity at Refugio for the month of July 2005.

Recovery of Questioned Expenditures

Review of Fundraising Expenditures

We reviewed Refugio's July 2005 accounting records and noted no instances of the Agency expending FFA funds for fundraising activities, or on the Multicultural Counseling Center (MCC).

Conclusion. Refugio continues to comply with its CAP requirement and; has discontinued the practice of expending foster care funds for fundraising activities and the MCC.

*"To Enrich Lives Through Effective and Caring Service"*

David Sanders, Ph.D.  
August 18, 2005  
Page 2

### Timeliness of Repayment

Under the terms of the repayment agreement, Refugio will repay \$6,505 monthly to DCFS with the first payment due on June 10, 2005 and continuing thereafter on the 10<sup>th</sup> of each month until fully repaid.

Refugio continues to make monthly payments under its repayment plan either on, or ahead of schedule. Refugio's September 2005 payment was received by DCFS on August 4<sup>th</sup>.

Conclusion: Refugio is continuing to make payments in accordance with its repayment agreement with DCFS.

### Source of Funds

Refugio is not permitted to use current period foster care funds to make payments required under its repayment agreement. We reviewed the relevant records related to each of three bank accounts from which funds were used for the repayment, and verified that no current period FFA funding had been deposited into those accounts.

Conclusion: Refugio continues to comply with its CAP requirement and has not used current period foster care funds to make payments required under the Agency's repayment agreement.

## Education of Refugio's Board of Directors and Personnel

### Training of Board Members and Personnel

We previously reported that Refugio had met the requirement of its CAP to provide training to its Board of Directors and personnel on the provisions of the Office of Management and Budget Circular A-122 and the Handbook.

Incoming Board members and key personnel who did not attend the training sessions, will be required to review the "Refugio Para Niños Board Training Manual" (Manual), which was developed for Refugio by the Harrington Group, CPAs. The Manual is essentially a compilation of the materials handed out at the live training sessions provided by the Harrington Group CPAs as a condition of Refugio's CAP. Also included in the Manual are questions that will help assess how well these individuals being trained understand the materials.

Conclusion: Refugio has complied with its CAP requirement concerning training members of its Board of Directors and personnel. In addition, Refugio has taken steps to ensure that incoming Board members and staff also receive the training required as a condition of its CAP.



David Sanders, Ph.D.  
August 18, 2005  
Page 3

### Corrective Action Plan for Structure of Refugio's Board of Directors

#### Composition of the Board

Refugio's CAP requires that the Agency's Board of Directors consist of at least seven individuals at all times, none of whom are an interested party or an employee of Refugio.

Refugio currently has seven Board members. Based on a limited background inquiry, none of Refugio's current Board members are interested parties as defined in the California Corporations Code, or current, or former employees of Refugio.

Conclusion: Refugio continues to comply with its CAP requirements regarding Board membership.

#### Excessive Compensation

#### Employee Salaries and Pension Benefits

In July 2005, Refugio's Interim Chief Executive Officer (CEO) was being paid an annual salary of \$109,416, which is reasonable for an Agency of Refugio's size. The contribution levels to the Interim CEO's deferred annuity pension plan were also reasonable based on the 2003 CWLA Salary Study.

Conclusion: The salary and benefits paid to Refugio's Interim CEO have been reasonable based on the 2003 CWLA Salary Study.

If you have any questions, please contact me, or have your staff contact Mike McWatters at (626) 293-1109.

JTM:JS:MWM:AF

c: Audit Committee

#### Department of Children and Family Services

Ed Sosa, Chief, Out of Home Care Management Division

Sue Harper, Administrative Services Manager III, Fiscal Monitoring & Special Payments Unit

## ATTACHMENT II

## EXHIBIT E

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES  
FOSTER FAMILY AGENCY SEMI-ANNUAL REVENUE AND EXPENDITURE SUMMARY**

Agency Name : REFUGIO PARA NINO

Report Period: July 2005

Agency Address: 100 N. Citrus St. Suite 205, West Covina, CA 91791 - 1614

Contact Person: Tomas Fernandez - CEO

Phone: (626) 858 -8684

**A. REVENUES:**

Sources	(4) Total for Months	(5) Year-to-Date
1. AFDC-FC FFA Revenues	\$ 465,998.00	\$ 3,453,999.96
2. Other Governmental Revenues (Interest, Gain/Losses on Inv.)	\$ 2,351.83	\$ 48,387.21
3. Total Revenues	\$ 468,349.83	\$ 3,502,387.17

**B. CONTRACT EXPENDITURES**

Expenditure Categories	1 Allowable	2 Unallowable	3 Personal	(4) Total for 6 Months (Sum of Co. 1	(5) Year-to-Date
1. Administrative Payroll (Total)					
a. Executive Director's Salary	9,118.00	-	-	9,118.00	63,826.00
b. Clinical Director's Salary	6,150.00	-	-	6,150.00	43,050.00
c. Administrator Salary					
d. Other Administrative Salaries	37,103.34	-	-	37,103.34	296,735.31
2. Recruitment Payroll					
3. Training Payroll	570.00	-	-	570.00	1,964.65
4. Administrative Contracts					
5. Telephone and Telegraph	5,186.72	-	-	5,186.72	33,411.99
6. Postage and Freight	2,531.85	-	-	2,531.85	8,912.19
7. Office Supplies	6,208.47	-	-	6,208.47	41,877.50
8. Conferences, Meetings					11,030.89
9. Memberships, Subscriptions/Dues	1,011.00	-	-	1,011.00	7,618.62
10. Printing & Publications	3,019.40	-	-	3,019.40	4,433.73
11. Bonding, Insurance Premiums	18,606.50	-	-	18,606.50	58,096.87
12. Advertising	2,983.24	-	-	2,983.24	29,478.94
13. Miscellaneous	47,786.70	-	-	47,786.70	425,464.06
Subtotal	140,275.22	-	-	140,275.22	1,025,900.75

Expenditure Categories	1 Allowable	2 Unallowable	3 Personal	(4) Total for 6 Months (Sum of Co. 1	(5) Year-to-Date
14. Building and Equipment Payroll				16,978.30	109,158.39
15. Building Rents and Leases	16,978.30	-	-	-	-
16. Principal and Interest				-	-
17. Property Appraisal Fees				-	-
18. Property Taxes	-			-	-
19. Equipment and Property Ins.				552.82	1,272.58
20. Utilities	552.82			-	12,092.74
21. Building Maintenance	-			-	-
22. Building & Equipment Contracts				2,271.59	18,243.11
23. Building & Equipment Supplies	2,271.59			3,071.07	15,977.48
24. Equipment Leases	3,071.07			-	-
25. Depreciation Expenses				-	4,757.11
26. Non-Depreciable Equipment	-			-	-
27. Building & Equipment Misc.				-	-
28. Vehicle Leases				-	-
29. Vehicle Depreciation				1,811.30	20,502.34
30. Vehicle Operating Costs	1,811.30			-	-
<b>Subtotal</b>	<b>24,685.08</b>	<b>-</b>	<b>-</b>	<b>24,685.08</b>	<b>182,003.75</b>

31. Total Paid to CFH	204,909.00	-	-	204,909.00	1,569,996.26
32. Other Child Related Costs	1,154.78	-	-	1,154.78	39,324.91
33. Social Worker Payroll	101,288.11	-	-	101,288.11	661,367.54
34. Social Worker Contracts	-	-	-	-	-
<b>Subtotal</b>	<b>307,351.89</b>	<b>-</b>	<b>-</b>	<b>307,351.89</b>	<b>2,270,688.71</b>

<b>35. Total Expenditures</b>	<b>472,312.19</b>	<b>3,478,593.21</b>
<b>36. Excess Revenues / Expenditures in Excess of Revenues</b>	<b>(6,314.19)</b>	<b>(24,593.25)</b>
<b>37. Less: Revenues from Other Governmental Sources</b>	<b>2,351.83</b>	<b>48,387.21</b>
(Section A, Line 2, Column 4)		
<b>38. Unexpended AFDC-FC-FFA Funds/Expenditures in Excess</b>	<b>(3,962.36)</b>	<b>23,793.96</b>
of AFDC-FC FFA Revenues		



C. Briefly describe services rendered during the reporting period as required in the Agency's Program Statement

A	Our Program provide the special services needed to nurture children to their fullest mental, emotional and spiritual development
B	RPN's Management and Social Workers worked with all Foster Parents access resources, coordinate services and create an individualized treatment plan for each child.
C	RPN assists and support all Foster Parents in providing foster children's emotional and financial care towards the goal of healthy development of a child.

D. Please indicate any difficulties encountered rendering services and/or complying with the Program Statement. Please indicate any such differences that could jeopardize the timeliness of placement or care provided to a child.

- Due to the fire in the building (4th floor) on the week-end of July 4, 2005, almost half of the whole 2nd floor where "water damaged". We where forced—to relocate the departments affected with other departments, re-wire computers & telephones in order to perform their daily job. Some of our Social Workers are working temporarily in our Rancho Office.

I hereby certify to the best of my knowledge, under penalty of perjury, that the above is true and correct, that all amounts are traceable to Agency accounting records, and that all AFDC-FC monies received for the purposes of this program were spent in accordance with the agreement and all applicable Federal, State and County laws and regulations. Falsification of any amount disclosed herein shall constitute a false claim pursuant to the California Government Code, Section 12650 et seq.

\_\_\_\_\_  
Executive Director

\_\_\_\_\_  
Date

Accounting Cycle: = Calendar Year

Begins: January 2005 Ends: December 2005

Accounting Basis: = Accrual

## MISCELLANEOUS ACCTS.

## MONTHLY

## CUMULATIVE

Executive Pension	-	2,500.00
Payroll Taxes	10,726.49	93,708.85
Health Insurance	20,264.54	116,072.84
Workers Comp	4,109.59	36,800.05
Employee Pension	3,657.60	32,860.31
Accounting & Prof.	689.19	21,655.94
Legal Fees	7,943.31	106,751.34
Administrative Expenses	-	116.80
Bank Fees	111.00	1,110.96
Continuing Ed	-	453.99
Penalties	-	300.00
Taxes & Licenses	284.98	13,132.98
TOTAL	<u>47,786.70</u>	<u>425,464.06</u>

# ATTACHMENT III

## RESUME

Edward O. Aguirre  
2041 Amherst Drive  
South Pasadena, CA 91030  
Home (626) 799-8155  
Office (626) 308-1206  
E-mail

### Education

Bachelor of Arts Degree in Education from California State University Los Angeles - 1962  
Master of Science Degree in Education from California State University Fullerton - 1975

### Public School Administrative/Teaching Experience

Position	School System	Dates
Principal	Alhambra City Schools	1980 - 1998 (Retired)
Assistant Principal	Rowland Unified School District	1974 - 1980
Teacher/Assistant Principal	Temple City Unified School District	1962 - 1974

### Non-Public School Experience

Co-Director Training	Volunteers to America U.S. Department of State/USC	1970 - 1971
Volunteer	U.S. Peace Corps	1962

### Membership and Offices in Professional Organizations

- Association of California School Administrators (ACSA) - Member - 1970 - 1998
- Equal Educational Opportunities Committee (ACSA) - State Chair - 1975 - 1979
- California Teachers Association (CTA) - Member - 1962 - 1969

### Community Leadership

- Parent Teachers Association - Life Member Award
- Alhambra Educational Foundation - President Board of Directors - 1998 - 2003
- Alhambra Educational Foundation - Treasurer Board of Directors - 2004 - Present
- Alhambra Children's Center - Member Board of Directors - 2002 - Present
- Alhambra Children's Center - Vice-President Board of Directors 2004 - Present

2003

**ATTACHMENT IV**

**JOB TITLE:** PRESIDENT/EXECUTIVE DIRECTOR/ADMINISTRATOR

**CLASSIFICATION:** EXEMPT

**LINES OF SUPERVISION:** REPORTS TO BOARD OF DIRECTORS

**DUTIES:**

1. Personnel decisions
2. Development of training
3. Development of agency-specific paperwork and social worker procedures
4. Quality control/liaison with CCL and County
5. Delegating authority
6. FFA policy setting
7. Intake Development and coordination
8. Supervision of Social Worker Supervisors
9. Any and all administrative duties as defined in CCR 80064 and 88064.

**QUALIFICATIONS:**

Masters in Social Science field, extensive prior FFA experience, and required at least 3 years experience, 2 of which have been in an administrative or managerial position in child/family services.






DAVID SANDERS, PH.D.  
Director

**County of Los Angeles**  
**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**  
425 Shatto Place -- Los Angeles, California 90020  
(213) 351-5602

September 26, 2005

Board of Supervisors  
GLORIA MOLINA  
First District  
YVONNE B. BURKE  
Second District  
ZEV YAROSLAVSKY  
Third District  
DON KNABE  
Fourth District  
MICHAEL D. ANTONOVICH  
Fifth District

TO: Supervisor Gloria Molina, Chair  
Supervisor Michael D. Antonovich, Chair Pro Tem  
Supervisor Yvonne B. Burke  
Supervisor Zev Yaroslavsky  
Supervisor Don Knabe

FROM: David Sanders, Ph.D.   
Director

**APRIL 26, 2005 BOARD AGENDA ITEM #22: REFUGIO PARA NIÑOS MONTHLY REPORT**

As the Department of Children and Family Services (DCFS) has been charged with providing monthly reports of Refugio Foster Family Agency (Refugio) to the Board, the following summarizes the monitoring visit conducted by DCFS, Out-of-Home Care Management Division (OHCMD), and fiscal reports from the Auditor-Controller and DCFS Fiscal Monitoring and Special Payments Section, which outline the activities for August 2005.

**FISCAL ISSUES**

The DCFS Fiscal Monitoring and Special Payments Section reported that Refugio submitted its August monthly expenditure report timely, and there were no issues to report.

The Department received the Auditor-Controller's (A-C) Monthly Evaluation report of Refugio dated September 21, 2005. The report indicated that Refugio continues to be "overall" in compliance with the requirements contained in the Corrective Action Plan (CAP).

The A-C's report further indicates that Refugio discontinued the practice of expending foster care funds for fundraising activities and the Multicultural Counseling Center. Refugio continues to make payments in accordance with its repayment agreement with DCFS and has not used current period foster care funds to make payments required under its repayment agreement. In addition, Refugio has complied with its CAP requirements concerning training of its Board of Directors and incoming Board members personnel; and Refugio continues to comply with regard to Board membership. A copy of the A-C's report is attached (Attachment I).

Refugio's monthly expenditure report is attached (Attachment II).

### **DCFS MONITORING VISITS**

As reported in our August 26, 2005 report, the scope of our review of Refugio expanded to include monitoring performance with regard to Safety, Permanency, and Well Being/Education/Emancipation. The Out-of-Home Care Management Division (OHCMD) Monitor conducted site visits from August 3, 2005 to August 9, 2005 that included Refugio's main office in West Covina and satellite office in Rancho Cucamonga. During our fieldwork, 17 current foster children's files were reviewed, along with the eight certified foster parents' files, and ten discharged foster children's files. Home visits were conducted with the foster parents whose files were reviewed. Additionally, these foster parents and the foster children currently placed in these homes were interviewed as part of the monitoring process.

Refugio has 110 certified foster homes where 290 children are currently placed.

In preparation for monitoring for the safety outcome, the DCFS Monitor researched OHCMD's I-track database to query for Child Protection Hotline (CPHL) referrals and Special Incident Reports (SIR) from August 15, 2005 to September 15, 2005. There were two CPHL referrals during this reporting period, which were because of SIRs.

Our Monitor also met with the Chief Operations Officer (COO), Chief Financial Officer (CFO) and Clinical Director during the site visits. The A-C continues to review the fiscal compliance issues.

### **SAFETY**

The 17 children's files reviewed reflected the following:

- An 18-year-old teen mother with a one-year-old child reported that she asked the foster father to take her to the store to buy milk for the baby and the foster father refused to transport the youth to the store. Furthermore, another 18-year-old foster youth had a boyfriend who used to stalk her, and on one occasion, the individual was able to come into the house, through the children's bedroom. The youth did not



immediately disclose the incident to the foster father. When the disclosure was made, it took the foster father a week to report the incident to Refugio. This is a violation of the FFA Contract, as these kinds of incidents must be reported immediately. For these reasons, we shared our concerns with Refugio for further assessment of the situation at hand and urged oversight to ensure the placed children's safety.

OHCMD found that Refugio has been reporting special incidents in accordance with the reporting requirements as stipulated in the Contract, Section 10.0, Program Reporting Requirements. The following highlights the 11 SIRs reported:

- One SIR indicated that a nine-year-old child was involved in a sexually related incident at school where she was inappropriate to another child. The foster mother acted appropriately by reporting the incident to Refugio, and the agency correctly handled this issue by replacing the child to another foster home within the agency. A referral to the CPHL was not required.
- The second SIR indicated that a one-year-old child was hospitalized due to the child having diarrhea and blood in her feces. The foster parents acted appropriately by taking the child to the hospital and reporting the child's condition to Refugio. A referral to the CPHL was not required.
- The third SIR involved a nine-year-old child who told her therapist that she wished to hurt herself with a telephone cord. The Psychiatric Mobile Response Team made an evaluation of the child and found the child was not a danger to herself or others. Refugio reported the incident in a timely manner, it was appropriately handled, and it did not require a referral to the CPHL.
- The fourth SIR involved a 13-year-old child who inflicted superficial scratches to her stomach. Refugio reported the incident in a timely manner, it was appropriately handled, and it did not require a referral to the CPHL.
- The fifth SIR involved a 15-year-old child who ran away and took her nine-month-old child with her. Refugio instructed the foster mother to file a police report. Refugio reported the incident in a timely manner and it did not require a referral to the CPHL.
- The sixth SIR involved a five-year-old child and a 13-year-old legal guardianship child involved in oral copulation. Refugio's Social Worker reported that the five year-old child has a history of sexual acting out and he was the one who initiated the incident. Both children were replaced to other homes within the agency. A referral to the CPHL was made. The DCFS CSW substantiated the allegations and Refugio's COO stated that Community Care Licensing was notified of the incident, and will conduct an investigation. Refugio reported the incident in a timely manner, and it was appropriately handled.

- The seventh SIR involved an 18-year-old youth who ran away from placement on the same day her case was being terminated. According to Refugio, the Dependency Court emancipated the youth, but she left the foster home before knowing the Court results. Refugio reported the incident in a timely manner, it was appropriately handled, and it did not require a referral to the CPHL.
- The eighth SIR involved a 16-year-old child who was allowed to go into the community with her boyfriend and his family. However, she came home after curfew and was not found where she said she would be. Refugio's Social Worker said that the foster mother had written permission from the DCFS CSW to allow the child to be in the community without supervision. Additionally, the child rides with her boyfriend although he does not have a driver's license and thought she was pregnant, but the results of a test were negative. Refugio's Social Worker reported that a plan was developed with the boyfriend's parents, and the children were no longer permitted to see each other. Refugio reported the incident in a timely manner, it was appropriately handled, and it did not require a referral to the CPHL.
- The ninth SIR involved a 15-year-old child who allegedly ran away from placement, with the foster mother's live-in boyfriend. Refugio's SIR reflected that the child stated that she had sex with the foster mother's live-in boyfriend before running away. The DCFS case record reflects that the child has returned to the Los Angeles area and is placed in a foster home. The alleged perpetrator's whereabouts are unknown and a Child Abuse Report was filed with the San Bernardino County Police Department. Refugio reported the incident in a timely manner, it was appropriately handled as a police report was filed, and a referral to the CPHL was made.
- The tenth SIR involved a 16-year-old brother and his 13-year-old sister. The brother hit his sister in the eye because he became upset when his sister refused to leave his room. The 13-year-old child was taken to the hospital for precautionary medical attention. Refugio reported the incident in a timely manner, it was appropriately handled, and it did not require a referral to the CPHL.
- The eleventh SIR involved a 15-year-old child. While Refugio's Social Worker was visiting the home, the child became upset at the foster mother because he thought that she owed him clothing allowance money. Refugio's staff will check clothing receipts to determine whether the foster mother has spent the allocated clothing money on the children in the home. Refugio reported the incident in a timely manner, it was appropriately handled, and it did not require a referral to the CPHL.

Our current review indicates that the kinds of incidents reported to take place are not unusual. There were two CPHL referrals, but no trends of abuse/neglect were noted for this period of review.



## **PERMANENCY**

Seventeen Children's Plans were reviewed and fifteen of them were in accordance with the DCFS CSWs' plan for permanency. However, we noted that the plans for two siblings placed in one certified foster home reflected the following:

- The foster father refused to transport the two children to visit their family. As the children are new to the foster care system and the permanency plan is reunification, the case plan could not be achieved as the foster parent refused to transport them to visits with their family.

## **WELL BEING/EDUCATION/EMANCIPATION**

- We did observe there were several programmatic issues related to Needs and Services Plans (N&SP). We specifically noted that the N&SPs were not individualized and/or dated, so we question their timeliness. Additionally, the updated N&SPs did not reflect the participants' signatures. Furthermore, we were concerned that the N&SP form used is like an outline, and therefore it does not present the reader with a descriptive picture about the child. As this is beyond our scope of review, these issues will be referred to the Auditor Controller's Office, Countywide Contract Monitoring Division to conduct a programmatic audit of Refugio. (Attachment III).
- One 18-year-old youth has not been provided with emancipation services. The Contract requires that children 14 years old and older have to be provided with emancipation services.

The Out-of-Home Care Management Division report (Attachment IV) is attached.

## **BOARD STRUCTURE**

Refugio's CAP requires that the agency's Board of Directors consist of seven members at all times.

- On September 9, 2005, Refugio's Interim CEO reported that their Board has seven members, which was confirmed by the OHCMD. Therefore, Refugio has complied with the CAP (Exhibit U) to have seven Board Members.
- The CFO provided our Monitor with a letter stating that the Board Member who had not received the OMB training was given an examination and passed satisfactorily.

As per Refugio's COO, not only did he review the results of the test, but also the A-C's Auditor was provided with copies of the test results. The New Board Member Training Session letter (Attachment V) is attached.

- Refugio held Board meetings on July 12, 2005 and August 9, 2005. A review of the Board meeting minutes for these dates reflect that the Board reviewed SIRs as required per Title 22, FFA regulations, Section 88063(8), as recommended by the OHCMD. Copies of the Board meeting minutes (Attachments VI and VII) are attached.

## **CONCLUSION**

Our scope of review is limited to this Board order and monitoring of performance with regard to safety, permanency, well being and education/emancipation. However, there were some programmatic concerns as previously mentioned and they will be addressed by the Auditor-Controller's Office, Countywide Contract Monitoring Division.

However, overall, it appears that Refugio is providing adequate care and services to DCFS children. The children interviewed stated they felt safe in their foster homes, and all but one of the certified foster parents interviewed stated that they were happy with the support from the agency. In fact, one foster parent stated that the Social Worker assigned to the home is excellent.

Refugio's Administration needs to ensure appropriate documentation is updated and establish a comprehensive quality assurance system to ensure that the agency's performance of service delivery meets the needs of all placed children.

Although Refugio is cooperating with the A-C and DCFS, the alternative plan of action remains the same as follows, if needed:

## **Alternative Plan of Action**

- Every effort will be made to maintain the children with the same foster parents to avoid placement disruption.
- CSWs who have children placed with Refugio will be instructed to make immediate and regular visits of the children in the Refugio foster homes. If the children's safety is in question, the CSWs will take appropriate action that may include replacing the children.
- The Refugio foster parents will be informed immediately by telephone and letter of the pending termination of the contract with Refugio and the County's plan to review various options with them regarding their ability to continue care of DCFS children placed with them.
- In collaboration with Community Care Licensing (CCL), a meeting will be scheduled immediately with all foster parents where they will be informed of their options to associate themselves with another Foster Family Agency or become licensed foster parents with the State.

- The foster parents will be told to continue to utilize the services of their Agency social worker. If they are not receiving the services from Refugio and/or if safety situations arise, they will be instructed to contact the child's CSW immediately.
- During this entire process, DCFS will be working closely with CCL to consider various options, such as certifying foster parents pending licensure or certification, in the event the contract with Refugio requires immediate termination.

If you have any questions please call me, or your staff may contact Helen Berberian, Board Relations Manager at (213) 351-5530.

DS:LP:ES  
EH:dv

#### Attachments

c: Chief Administrative Officer  
Auditor Controller  
County Counsel  
Board of Supervisors Executive Officer



## ATTACHMENT I



J. TYLER McCAULEY  
AUDITOR-CONTROLLER

COUNTY OF LOS ANGELES  
DEPARTMENT OF AUDITOR-CONTROLLER

KENNETH HAHN HALL OF ADMINISTRATION  
500 WEST TEMPLE STREET, ROOM 525  
LOS ANGELES, CALIFORNIA 90012-2766  
PHONE: (213) 974-8301 FAX: (213) 626-5427

September 21, 2005

TO: David Sanders, Ph.D., Director  
Department of Children and Family Services

FROM: J. Tyler McCauley *[Signature]*  
Auditor-Controller

SUBJECT: MONTHLY EVALUATION OF REFUGIO PARA NIÑOS' COMPLIANCE  
WITH ITS CORRECTIVE ACTION PLAN - 4<sup>th</sup> Status Report

At its April 16, 2005 meeting, the Board of Supervisors directed the Department of Children and Family Services (DCFS), in consultation with the Auditor-Controller to report back to the Board on a monthly basis regarding Refugio Para Niños' (Refugio) compliance with its Corrective Action Plan (CAP). The CAP is part of the contract between the County and Refugio which was signed on April 28, 2005.

Overall, Refugio continues to be in compliance with the requirements contained in its CAP. The following is our fourth monthly report to your Department and primarily addresses activity at Refugio for the month of August 2005.

Recovery of Questioned Expenditures

Review of Fundraising Expenditures

We reviewed Refugio's August 2005 accounting records and noted no instances of the Agency expending FFA funds for fundraising activities or on the Multicultural Counseling Center (MCC).

Conclusion: Refugio continues to comply with its CAP requirement and has discontinued the practice of expending foster care funds for fundraising activities and the MCC.

*"To Enrich Lives Through Effective and Caring Service"*

David Sanders, Ph.D.  
September 21, 2005  
Page 2

### Timeliness of Repayment

Under the terms of the repayment agreement, Refugio will repay \$6,505 a month to DCFS with the first payment due on June 10, 2005, and continuing thereafter on the 10<sup>th</sup> of each month until fully repaid.

Refugio continues to make monthly payments under its repayment plan either on or ahead of schedule. DCFS received Refugio's October 2005 payment on September 13, 2005.

Conclusion: Refugio is continuing to make payments in accordance with its repayment agreement with DCFS.

### Source of Funds

Refugio is not permitted to use current period foster care funds to make payments required under its repayment agreement. We reviewed the relevant records related to each of three bank accounts from which funds were used for the repayment, and verified that no current period FFA funds had been deposited into any of the accounts used for the repayment.

Conclusion: Refugio continues to comply with its CAP requirement and has not used current period foster care funds to make payments required under the Agency's repayment agreement.

## Education of Refugio's Board of Directors and Personnel

### Training of Board Members and Personnel

In our second status report, dated July 20, 2005, we reported that, on July 12<sup>th</sup>, Refugio elected a seventh member to its Board of Directors. This individual was elected to the Board subsequent to the completion of the training sessions that were required for the Agency's Board and personnel pursuant to the CAP.

During August, the new Board member completed his review of Refugio's training manual, which contains the training materials for each of the four requisite training courses mandated under the CAP. The new board member has also satisfactorily completed the post-study examinations for each of the training courses.



David Sanders, Ph.D.  
September 21, 2005  
Page 3

Conclusion: Refugio continues to comply with its CAP requirement concerning training members of its Board of Directors and personnel. In addition, Refugio has taken steps to ensure that incoming Board members and staff also receive the training required as a condition of its CAP.

### Corrective Action Plan for Structure of Refugio's Board of Directors

#### Composition of the Board

Refugio's CAP requires that the Agency's Board of Directors consist of at least seven individuals at all times, none of whom are an interested party or an employee of Refugio.

Refugio continues to have seven members on its Board. As previously indicated, nothing has come to our attention to indicate that any of the members are an interested party as defined in the California Corporations Code, nor is any Board member a current or former employee of Refugio.

In August 2005, the Board appointed one of its members as Chief Executive Officer (CEO), replacing the Interim CEO, who assumed the position of Chief Operating Officer (COO). However, after DCFS' Out of Home Care Management Division reviewed the Board member's qualifications and concluded that the individual did not possess the statutory, educational and practical experience background to qualify as the CEO, the COO was reinstated as Interim CEO. The Board's CEO appointee has since been functioning as a non-paid consultant, assisting the Interim CEO with the personnel and morale issues at Refugio. The Board is considering compensating this individual for his services in the future.

Conclusion: Refugio continues to comply with its CAP requirements regarding Board membership.

### Excessive Compensation

#### Employee Salaries and Pension Benefits

Refugio's Interim CEO continues to be compensated at an annual salary of \$109,416, which is reasonable for an Agency of Refugio's size. The contribution levels to the Interim CEO's deferred annuity pension plan were also reasonable based on the 2003 CWLA Salary Study.

EXHIBIT E

DEPARTMENT OF CHILDREN AND FAMILY SERVICES  
FOSTER FAMILY AGENCY SEMI-ANNUAL REVENUE AND EXPENDITURE SUMMARY

Agency Name : REFUGIO PARA NINO

Report Period: August 2005

Agency Address 100 N. Citrus St. Suite 205, West Covina, CA 91791 - 1614

Contact Person: Tomas Fernandez - CEO

Phone: (626) 858 -8684

A. REVENUES:

Sources	(4) Total for Months	(5) Year-to-Date
1. AFDC-FC FFA Revenues	\$ 489,380.00	\$ 3,974,375.61
2. Other Governmental Revenues (Interest Gain/Losses on Inv.)	\$ 427.00	\$ 48,814.21
3. Total Revenues	\$ 489,807.00	\$ 4,023,189.82

B. CONTRACT EXPENDITURES

Expenditure Categories	1 Allowable	2 Unallowable	3 Personal	(4) Total for 6 Months (Sum of Co.)	(5) Year-to-Date
1 Administrative Payroll (Total)					
a. Executive Director's Salary	9,118.00	-	-	9,118.00	72,944.00
b. Clinical Director's Salary	3,075.00	-	-	3,075.00	43,050.00
c. Adminstrator Salary					
d. Other Administrative Salaries	45,641.27	-	-	45,641.27	342,376.58
2 Recruitment Payroll					
3 Training Payroll	750.00	-	-	750.00	2,714.65
4 Administrative Contracts					
5 Telephone and Telegraph	3,273.75	-	-	3,273.75	36,685.74
6 Postage and Freight	127.47	-	-	127.47	9,039.66
7 Office Supplies	6,208.47	-	-	6,208.47	41,877.50
8 Conferences, Meetings	-	-	-	-	11,030.89
9 Memberships, Subscriptions/Dues	380.39	-	-	380.39	7,999.01
10 Printing & Publications	229.40	-	-	229.40	4,663.13
11 Bonding, Insurance Premiums	22,831.18	-	-	22,831.18	80,928.05
12 Advertising	9,154.28	-	-	9,154.28	37,632.61
13 Miscellaneous	58,429.14	-	-	58,429.14	456,128.66
Subtotal	159,218.35	-	-	159,218.35	1,147,070.48

Expenditure Categories	1 Allowable	2 Unallowable	3 Personal	(4) Total for 6 Months (Sum of Co. *	(5) Year-to-Date
14. Building and Equipment Payroll				(3,371.66)	105,786.73
15. Building Rents and Leases	(3,371.66)	-	-	-	-
16. Principal and Interest				-	-
17. Property Appraisal Fees				-	-
18. Property Taxes	-			-	-
19. Equipment and Property Ins.				-	719.76
20. Utilities				323.69	12,416.43
21. Building Maintenance	323.69			-	-
22. Building & Equipment Contracts				2,695.17	23,909.13
23. Building & Equipment Supplies	2,695.17			2,273.11	18,250.59
24. Equipment Leases	2,273.11			-	-
25. Depreciation Expenses				-	4,757.11
26. Non-Depreciable Equipment	-			-	-
27. Building & Equipment Misc.				-	-
28. Vehicle Leases				-	-
29. Vehicle Depreciation				2,769.37	23,271.71
30. Vehicle Operating Costs	2,769.37			-	-
<b>Subtotal</b>	<b>4,689.68</b>	<b>-</b>	<b>-</b>	<b>4,689.68</b>	<b>189,111.46</b>

31. Total Paid to CFH	194,306.02	-	-	194,306.02	1,789,385.86
32. Other Child Related Costs	35,128.79	-	-	35,128.79	81,507.42
33. Social Worker Payroll	114,193.83	-	-	114,193.83	891,084.68
34. Social Worker Contracts	-	-	-	-	-
<b>Subtotal</b>	<b>343,628.64</b>	<b>-</b>	<b>-</b>	<b>343,628.64</b>	<b>2,761,977.96</b>

35. Total Expenditures	507,536.67	4,098,159.90
36. Excess Revenues / Expenditures in Excess of Revenues	(18,156.67)	(123,784.29)
37. Less: Revenues from Other Governmental Sources	427.00	48,814.21
(Section A, Line 2, Column 4)		
38. Unexpended AFDC-FC-FFA Funds/Expenditures in Excess	(17,729.67)	(74,970.08)
of AFDC-FC FFA Revenues		




C. Briefly describe services rendered during the reporting period as required in the Agency's Program Statement

- A Our Program provide the special services needed to nurture children to their fullest mental, emotional and spiritual development
- B RPN's Management and Social Workers worked with all Foster Parents access resources, coordinate services and create an individualized treatment plan for each child.
- C RPN assists and support all Foster Parents in providing foster children's emotional and financial care towards the goal of healthy development of a child.

D. Please indicate any difficulties encountered rendering services and/or complying with the Program Statement. Please indicate any such differences that could jeopardize the timeliness of placement or care provided to a child.

- Due to the fire in the building (4th floor) on the week-end of July 4, 2005, almost half of the whole 2nd floor where "water damaged". We where forced to relocate the departments affected with other departments, re-wire computers & telephones in order to perform their daily job. Some of our Social Workers are working temporarily in our Rancho Office.

I hereby certify to the best of my knowledge, under penalty of perjury, that the above is true and correct, that all amounts are traceable to Agency accounting records, and that all AFDC-FC monies received for the purposes of this program were spent in accordance with the agreement and all applicable Federal, State and County laws and regulations. Falsification of any amount disclosed herein shall constitute a false claim pursuant to the California Government Code, Section 12650 et seq.

  
\_\_\_\_\_  
Executive Director

9/07/05  
\_\_\_\_\_  
Date

Accounting Cycle: = Calendar Year

Begins: January 2005 Ends: December 2005

Accounting Basis: = Accrual

Sep 07 05 03:41P

## MISCELLANEOUS ACCTS.

	MONTHLY	CUMULATIVE
Executive Pension	-	2,500.00
Payroll Taxes	17,183.06	110,891.91
Health Insurance	20,264.54	116,072.84
Workers Comp	4,148.54	40,948.59
Employee Pension	720.24	26,080.55
Accounting & Prof.	877.50	22,533.44
Legal Fees	13,842.21	120,593.55
Administrative Expenses	273.05	389.85
Bank Fees	-	1,110.96
Continuing Ed	-	453.99
Penalties	-	300.00
Taxes & Licenses	1,120.00	14,252.98
TOTAL	<u>58,429.14</u>	<u>456,128.66</u>





DAVID SANDERS, PH.D.  
Director

County of Los Angeles  
**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**  
425 Shatto Place -- Los Angeles, California 90020  
(213) 351-5602

Board of Supervisors

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Fourth District

MICHAEL D. ANTONOVICH  
Fifth District

September 15, 2005

TO: Brian Henricks, Principal Accounting Auditor  
Department of Auditor-Controller  
Countywide Contract Monitoring Division

FROM: Elizabeth Howard, CSA III  
Out-of-Home Care Management Division

**REQUEST FOR PROGRAMMATIC AUDIT OF REFUGIO PARA NIÑOS FOSTER  
FAMILY AGENCY (REFUGIO)**

**INTRODUCTION**

The Out-of-Home Care Management Division (OHCMD) provides monitoring and support to the contracted Foster Family Agency providers in order to maintain the required services standards as stipulated by the Contract between the agencies and DCFS, Community Care Licensing (CCL) Title 22 regulations, and the agencies' Program Statements as it relates to the performance measures in the areas of Safety, Permanency, and Wellbeing/Education/Emancipation.

The monitoring includes a review of the agencies' child case records and certified foster parents' files. Interviews with foster children and foster parents are also conducted to obtain their perspectives on services.

**HISTORY**

On January 25, 2005, the Board of Supervisors instructed DCFS to notify Refugio that their Foster Family Agency Agreement would be terminated for convenience in 90 days. The Board's decision was made following a September 5, 2000 Auditor-Controller's (A-C) fiscal audit, which identified \$759,006 in questionable expenditures. A subsequent A-C's fiscal audit dated January 18, 2005, identified questionable expenditures in the amount of \$858,609 resulting from improper use of foster care payments, payment of excessive

salary and employee benefits to Refugio's then Executive Director, and a total of \$481,316 in fundraising costs.

On April 26, 2005, the Board charged DCFS with providing monthly reports of Refugio with regard to fiscal and safety issues, as a new Agreement with Refugio was executed. To date, Refugio has complied with its Corrective Action Plan (CAP).

### REQUEST


During our monitoring of Refugio, we noted some program audit issues which are outside of our scope, and therefore we request that your agency proceed with a programmatic audit. Nonetheless, some of the issues we noted are as follows:

- the Needs and Services Plans, the quarterly reports and the Social Workers' notes were not individualized,
- the Plans were not dated,
- the Plans did not have the DCFS Social Workers, the certified foster parents, and the children's signature indicating participation and/or approval of the Plans,
- the Plans were not in narrative form, therefore they do not present a clear picture of the children,
- the children and the foster parents interviewed stated they were not familiar with the Plans and/or what they were for,
- the Social Workers were not reporting and submitting Special Incident Reports as per Title 22 regulations'
- One foster parent stated she did not feel supported by Refugio, as when the Social Worker is not available and she talks to the Supervising Social Worker, the foster mother is asked to wait and talk to the Social Worker when she/he is available.

For the reasons stated above, the OHCMD is requesting that your Division conduct a programmatic audit of Refugio Para Niños FFA in the near future and the results be shared with our Division.

If you have any questions regarding our request, please call me at (626) 569-6804.

Cordially,



Elizabeth A. Howard, CSA III  
Out-of-Home Care Management Division

ES:CR:Nf:dv



DAVID SANDERS, PH.D.  
Director

County of Los Angeles  
**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**  
425 Shatto Place -- Los Angeles, California 90020  
(213) 351-5602

Board of Supervisors  
GLORIA MOLINA  
First District  
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Third District  
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Fourth District  
MICHAEL D. ANTONOVICH  
Fifth District

September 19, 2005

Tomás Fernández, COO  
Refugio Para Niños Foster Family Agency  
100 N. Citrus Street  
West Covina, Ca. 91791

Dear Mr. Fernández:

**MONITORING PERFORMANCE OUTCOME MEASURES REVIEW RESULTS.**

Refugio Para Niños FFA consists of one main office located in West Covina, and two satellite offices: one located in Rancho Cucamonga in San Bernardino County, and one in Orange County. At the time of our review, there were 301 children in placement, and 130 certified foster parents.

For the purpose of this review, 17 children's files and eight foster parents' files were reviewed. During the visits to the certified foster homes, some of the children reviewed had been replaced as they were sibling sets. Therefore, as they were not interviewed, other children whose files were not reviewed were interviewed.

**SCOPE OF REVIEW**

The Department has been focusing on the development and implementation of performance outcome based contracts for Foster Family Agencies. To that end, the Out-of-Home Care Management Division (OHCMD) has been charged with monitoring and providing support to the contracted providers in order to maintain the required services standards as stipulated by the Contract between the agencies and DCFS, Community Care Licensing (CCL) Title 22 regulations, and the agencies' Program Statements as it relates to the performance measures in the areas of Safety, Permanency, and Wellbeing/Education/Emancipation. However, due to the Board of Supervisors' concerns and the monthly oversight of Refugio, the monitoring review will



reflect additional issues noted which will be referred to and addressed by the Auditor-Controller.

The monitoring included a review of Refugio's child case records and certified foster parents' files. Interviews with foster children and foster parents were also conducted to obtain their perspectives on services.

### **GENERAL FINDINGS**

- The agency has to update the foster parents' files to reflect that they are daycare providers, and the children's files to reflect that they have been relocated within the agency, to include their new address.
- The agency shall ensure that foster parents are transporting children to the visits with their families, and that they report timely reportable incidents in the foster home.
- The agency shall retrain foster parents, Social Workers and Supervising Social Workers with regard to Special Incident Reports as per Title 22 regulations and the Contract.
- The agency shall honor the foster parents' requests as to the number of children they want to provide care for during the certification process, and as to the language the children speak in order for the foster parents to provide appropriate services.
- The agency shall ensure that emancipation services are provided to age-appropriate children.
- The agency shall make sure that Supervising Social Workers and Social Workers are retrained with regard to the development of the Needs and Services Plans as per Title 22 regulations and the Contract. Additionally, the agency shall make sure that DCFS CSWs, certified foster parents and children participate and sign the Plans.

### **SUMMARY**

Overall, it appears that Refugio is providing adequate care and services to DCFS children. The children interviewed stated they felt safe in their foster homes, and all the certified foster parents interviewed but one stated that they were happy with the support from the agency. In fact, one foster parent stated that the Social Worker assigned to the home is excellent.

Refugio's Administration needs to ensure that appropriate documentation is updated and establish a comprehensive quality assurance program to bring the agency into compliance with the Contract and Title 22 regulations.



Page 3

Based on our monitoring review, we will request that the Auditor Controller's Office, Countywide Contract Monitoring Division initiate a program audit of Refugio.

The monitoring of your agency was conducted by Darío Villamarín between August 3, 2005 to August 10, 2005. Attached please find the FFA Evaluation Review Results. There are 15 recommendations, and therefore a Corrective Action Plan (CAP) is being requested, addressing all the recommendations and attaching the required documentation by October 10, 2005 to Mr. Villamarín at 9320 Telstar Avenue, Room 216, El Monte, Ca. 91731. Please sign the form, keep a copy for your records and return the copy along with the CAP.

Thank for your cooperation, and if you have any questions, please contact Mr. Villamarín at (626) 569-6827 or Néstor Figueroa, Manager at (626) 569-6820.

Sincerely,



Néstor Figueroa, CSA II  
FFA Program Manager  
Out-of-Home Care Management Division

## FOSTER CARE PERFORMANCE MANAGEMENT-DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## FOSTER FAMILY AGENCY EVALUATION REVIEW RESULTS

FOSTER FAMILY AGENCY: Refugio Para Ninos		EXECUTIVE DIRECTOR: Tomas Fernandez		LICENSE NUMBER 197801047	
ADDRESS: 100 N. Citrus Street, West Covina, Ca. 91791		TELEPHONE: (626) 858-8687	CAPACITY 301	NUMBER OF CHILDREN REVIEWED 17	DATE: 9-19-05
				NUMBER OF CFPS REVIEWED 8	
TYPE OF VISIT: <input type="radio"/> SEMI ANNUAL <input checked="" type="radio"/> X			ANNOUNCED <input type="radio"/> UNANNOUNCED <input checked="" type="radio"/> X		MET WITH: Tomas Fernandez

<b>SAFETY:</b>  <b>NEEDS IMPROVEMENT</b>	<p style="text-align: center;">AREA OF REVIEW</p> <p><b>Certified foster parents' files:</b> _____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p><b>CORRECTIVE ACTION</b></p> <p>1. Ensure that all foster parents who have a day care license have a copy of such license in their files.</p> <p>2. Ensure that certified foster parents who are daycare providers as well have a plan to ensure proper supervision and safety of foster children.</p> <p>3. Ensure that foster parents are retrained, and submit documentation that foster parents are reporting Special Incident Reports timely as per the Contract.</p> <p>4. Ensure that Refugio's Social Workers and Supervising Social Workers report Special Incident Reports as per the Contract.</p> <p>5. Ensure that the agency honors the foster parents' request for the number of children they apply for.</p>
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WELLBEING/ EDUCATION/ EMANCIPATION:  NEEDS IMPROVEMENT	Certified foster parents' files:	6.	Ensure that foster parents' requests are honored when they are monolingual (Spanish) and they only want Spanish speaking children.
	Children's files:	7.	Ensure that foster parents transport children to visits with their family and transport them to obtain basic necessities to ensure their wellbeing.
		8.	Ensure that age-appropriate children are provided with emancipation services

## FOSTER CARE PERFORMANCE MANAGEMENT-DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## FOSTER FAMILY AGENCY EVALUATION REVIEW RESULTS

<b>Other:</b>  <b>NEEDS IMPROVEMENT</b>		9. Ensure that the Needs and Services Plans are individualized, descriptive, and have the signatures of the DCFS CSWs, the foster children, and the certified foster parents.
		10. Ensure that Refugio's Supervising Social Workers and Social Workers are retrained with regard to Title 22 regulations related to Needs and Services Plans.
		11. Ensure that DCFS CSWS, certified foster parents and foster children participate in the development of the Plans.
		12. Ensure that placement agreements are updated to show the current, latest placement address.
		13. Ensure that termination reports contain more detailed information as to the reason children are terminated for services.
		14. Ensure that clerical staff, Supervising Social Workers and Social Workers take care of foster parents' immediate concerns and provide appropriate support to them.
		15. Ensure that Refugio's Social Workers do not take the children's files with them.

I acknowledge receipt of this form and understand my appeal rights as explained on the back of this form. This form acknowledges that a discussion was held and does not constitute agreement or disagreement with the findings. Failure to correct the above mentioned deficiencies, on or before the Corrective Action (CA) due date, may result in further action.

CHILDREN'S SERVICES ADMINISTRATOR SIGNATURE: <i>N. Figueroa</i>		TELEPHONE: (626) 569-6827	DATE: 9/19/05
NAME OF DCFS MANAGER: Nestor Figueroa	TELEPHONE: (626) 569-6820	FFA REPRESENTATIVE SIGNATURE:	DATE:

FOSTER FAMILY AGENCY Refugio Para Ninos		EXECUTIVE DIRECTOR: Tomas Fernandez		LICENSE NUMBER:	
ADDRESS:	TELEPHONE: ( )	CAPACITY:	NUMBER OF CHILDREN REVIEWED:	DATE:	
			NUMBER OF CFPS REVIEWED:		
TYPE OF VISIT: <input type="checkbox"/> SEMI ANNUAL <input type="checkbox"/> OTHER		ANNOUNCED <input type="checkbox"/> UNANNOUNCED <input type="checkbox"/>		MET WITH:	





**FOSTER FAMILY AGENCY EVALUATION REVIEW REPORT** – This report is a DCFS record for the agency and DCFS. This record is available for public review; therefore, personal or confidential information is not disclosed. Inquiries regarding the maintenance and contents of this report may be directed to the CSA I or office whose address and telephone number are listed on the front.

**DEFICIENCIES** – Deficiencies are non-compliances with the Foster Care Agreement, the agencies' Program Statement and/or Title 22 regulations. FFAs must be notified in writing of all regulation deficiencies. Deficiencies may be identified with a code reference to identify the section of the Contract or Title 22 regulations, upon which the deficiency is based.

Deficiencies are violations of the regulations and/or Health and Safety Code that if not corrected, have a direct or immediate risk to the health, safety or personal rights of clients in care. Without correction, the deficiencies could become a risk to the health, safety or personal rights of clients, a record keeping violation that could impact the care of clients and/or protection of their resources, or would impact services required to meet the clients' needs.

**CORRECTIVE ACTION (CA)** – The Contract, Terms and Conditions, Section 17.2, Corrective Action Plan (CAP) requires the agencies to submit a CAP within 30 days from the date of the written notice, depending on the nature of the findings. In some instances, the CAP may be required in three days from the date of notice. The CAP must be responsive to each finding and recommendation. The more specific the CAP, the less chance exists for the request of an addendum. The CAP is reviewed and approved by the DCFS Manager within five business days.

**FURTHER ACTION** – The Contract, Terms and Conditions, Section 17.2 states that the County retains the right to place an agency on **Hold Status**, for up to a 45-day period, when based on prima facie evidence that the agency engaged in conduct which may jeopardize minors; issues of abuse or neglect; serious risk of abuse or neglect; or non-compliance with significant administrative/fiscal/programmatic requirements of the Contract for which the agency failed to take corrective action pursuant to Section 17.1, and as described in Exhibit N.

The Contract, Terms and Conditions, Section 17.3 states that the County retains the right to place an agency on **Do Not Refer Status (DNR)** when County reasonably believes, based on prima facie evidence that the agency has engaged in conduct which may jeopardize minors; issues of abuse or neglect; serious risk of abuse or neglect; or non-compliance with significant administrative/fiscal/programmatic requirements of the Contract for which the agency failed to take corrective action pursuant to Section 17.1, and as described in Exhibit N. When DNR is implemented, a CAP will be established, as provided in Exhibit N. DNR is removed if the agency conforms to the CAP in terms of content and timeframe.

The Contract, Terms and Conditions, Section 17.3 states that the County retains the right to place an agency on **Do Not Use Status (DNU)** when County reasonably believes, based on prima facie evidence that the agency has engaged in conduct which may jeopardize minors; issues of abuse or neglect; serious risk of abuse or neglect; or non-compliance with significant administrative/fiscal/programmatic requirements of the Contract for which the agency failed to take corrective action pursuant to Section 17.1, and as described in Exhibit N. Under unique, warranted circumstances, a DNU might be rescinded, as provided in Exhibit N.

**APPEALS RIGHTS** – The Contract, Terms and Conditions, Section 17.6 states that the agencies may address the County action with representatives from County and may challenge the County action in accordance with DCFS local agency policies and procedures (refer to Exhibit N) then in effect, and thereafter, the agency may appeal through the dispute resolution procedures described in Section 58.0 herein.

## FOSTER CARE PERFORMANCE MANAGEMENT-DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## FOSTER FAMILY AGENCY EVALUATION REVIEW RESULTS

SAFETYCertified foster parents' files:Comments:

The foster parents' application indicated that the prospective foster parents did not have a daycare license. However, three of the eight foster parents interviewed indicated that they currently have a daycare license, yet, there was no documentation in the certified foster parents' files updating such information.

While reviewing the certified foster parents' files, we noted that one of them has health issues. During the home visit to the foster home, there were 12 children, four foster children, and eight daycare children in the home. Although the foster mother had a helper, we noted that the foster mother has limited mobility, and had to rely on the helper, who in turn had to leave the children unattended. Furthermore, we noted that the foster mother asked a 14-year-old-foster child to take a daycare child back to the daycare area as the foster mother's helper stepped out with two foster children, which make us believe that perhaps foster children help to baby-sit the daycare children. Although the foster mother has a helper, it seems that the helper is the one who supervises all the children, which make us wonder whether the foster mother provides proper care and supervision to foster children, which may lead to safety concern issues such as AWOLs or other incidents which can occur if children are not properly supervised.

In one certified foster home, a 16-year-old child disclosed that her 18-year-old foster sister had a boy friend who used to stalk her, and on one occasion, the individual was able to come into the house, by the children's bedroom. It was also disclosed that on several occasions, the individual knocked at the children's window, and if his former girlfriend would not come to the window, he would knock at the 18-year-old's window, which not only would scare the youth, but also her baby. Although the foster father was not immediately notified of the incident, once he knew about it, Refugio's Social Worker's notes indicate that the foster father reported the incident one week later after the fact, which is a violation of the Contract as these kinds of incidents have to be reported immediately as it poses a safety issue.

Based on the information gathered, this writer called Refugio's Interim CEO, Tomas Fernandez to report the issue at hand. We questioned the Interim CEO as to the reason that a Special Incident Report (SIR) was not filed and he said that the Social Workers some times do it, and some times they do not. The agency failed to call the Child Protection Hotline to report the incident as well. We requested that all the children be replaced as the incident posed a safety issue for all the children in the home. This writer called the CPHL to report the incident, but a referral was not generated, as the CPHL Intake Evaluator stated that Refugio was taking immediate action.

One foster parent stated that she applied to have two children, and she was certified for three, as the agency stated "just in case".



## FOSTER CARE PERFORMANCE MANAGEMENT-DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## FOSTER FAMILY AGENCY EVALUATION REVIEW RESULTS

RECOMMENDATIONS:

1. To ensure that the foster parents' applications are updated, to include whether they have become day care providers after certification.
2. To ensure that certified foster parents who are daycare providers as well have a plan to ensure proper supervision and safety of foster children.
3. To ensure that foster parents are retrained, and submit documentation that foster parents are reporting Special Incident Reports timely as per the Contract.
4. To ensure that Refugio's Social Workers and Supervising Social Workers report Special Incident Reports as per the Contract.
5. To ensure that the agency honors the foster parents' request for the number of children they apply for, not the number the agency decides.

WELLBEING/EDUCATION/EMANCIPATIONComments:

One foster mother stated that she is monolingual (Spanish) and she has requested that only Spanish speaking children be placed in her home. However, monolingual English speaking children are also placed in her home and she can hardly communicate with them. This is a wellbeing issue as the foster mother stated she feels she cannot provide the kind of care she would like to foster children.

RECOMMENDATION:

6. To ensure that foster parents' requests are honored when they are monolingual (Spanish) and they only want Spanish speaking children.

WELLBEING/EDUCATION/EMANCIPATIONChildren's files:Comments:

In the certified foster home where the foster father did not report an incident as per the Contract, we read that the foster father had refused to transport the children to visit their family. During the interview with one of the children, she corroborated what we have read in the file. Additionally, the child stated that her 18-year-old sister who has a one-year-old child asked the foster father to take her to the store to buy milk for the baby and the foster father refused to provide transportation. Furthermore, the child stated that she felt treated differently than her 18-year-old foster sister, as there was favoritism.

## FOSTER CARE PERFORMANCE MANAGEMENT-DEPARTMENT OF CHILDREN AND FAMILY SERVICES

**FOSTER FAMILY AGENCY EVALUATION REVIEW RESULTS**

The initial N&SP for an 18-year-old youth did not indicate that the youth was going to be provided with emancipation services.

**RECOMMENDATIONS:**

7. To ensure that foster parents transport children to visits with their family and transport them to obtain basic necessities to ensure their wellbeing.
8. To ensure that age-appropriate children are provided with emancipation services.

**OTHER AUDIT ISSUES:**

Although the Needs and Services Plans (N&SP) were on file, we noted that the Initial N&SPs were developed at the time of placement, which was more like an intake form. Additionally, the form used is like an outline, and therefore it does not present the reader with a descriptive picture about the child. The updated N&SPs were the same.

We also noted that the N&SPs were not individualized and they did not have the children, foster parents, and DCFS CSWs' signature for implementation of the Plans.

Furthermore, all ten certified foster parents and 11 verbal children interviewed stated that they did not know about the N&SPs, nor have they seen them.

We noticed that children are replaced within the agency, but a new agency, foster parent agreement is not developed. Therefore, the address where the child was initially placed is the one on file, not the current, latest one.

For the discharged children, the termination report did not contain enough information as to the reason for termination.

One certified foster parent stated that she does not feel supported by Refugio. She stated that when she calls the agency, she has to wait for 20 minutes. At times, the foster parent is told that she has to speak to the Social Worker, who may not be available. Once the foster parent is transferred to speak to the Supervising Social Worker, the foster parent is told that she has to talk to the Social Worker. The foster parent could not get assistance for her immediate concern.

A few children's files were not available for review as the agency's Social Worker had them with her. Although she was called to bring them to the office, she did not make them available for our review. It is Refugio's policy that Social Workers do not take files out of the office, as the information they contained is confidential.

**RECOMMENDATIONS:**

9. To ensure that the Needs and Services Plans are individualized, descriptive, and have the signatures of the DCFS CSWs, the foster children, and the certified foster parents.



## FOSTER CARE PERFORMANCE MANAGEMENT-DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## FOSTER FAMILY AGENCY EVALUATION REVIEW RESULTS

10. To ensure that Refugio's Supervising Social Workers and Social Workers are retrained with regard to Title 22 regulations related to Needs and Services Plans.
11. To ensure that DCFS CSWS, certified foster parents and foster children participate in the development of the Plans.
12. To ensure that placement agreements are updated to show the current, latest placement address.
13. To ensure that termination reports contain more detailed information as to the reason children are terminated for services.
14. To ensure that clerical staff, Supervising Social Workers and Social Workers take care of foster parents' immediate concerns and provide appropriate support to them.
15. To ensure that Refugio's Social Workers do not take the children's files with them.

# REFUGIO PARA NINOS

Foster Family Agency

ATTACHMENT V

Dario Villamarin, CSA I  
Program Auditor  
County of Los Angeles, DCFS  
9320 Telstar Avenue # 206  
El Monte, CA 91731

Ref: New Board Member Training Sessions

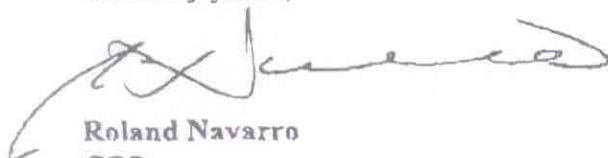
Dear Mr. Villamarin:

Our new Board Member – Mr. Michael Brown had completed his review and examination on the following topics prescribed by the county;

- Cost Allocations & Principles
- Board Governance: The important of your Role
- Auditor – Controller – Contract Accounting & Administration Handbook
- Internal Control

Mr. Brown has passed and satisfied the country's requirement on new board member for Refugio Para Ninos.

Sincerely yours,



Roland Navarro  
CFO

CC: Al Fong, CPA Dept. of Auditor-Controller Audit Division  
File

# REFUGIO PARA NINOS

## Foster Family Agency

July 12, 2005

**MINUTES OF A MEETING OF THE BOARD OF DIRECTORS** Refugio Para Ninos, Foster Family Agency (the "Corporation") held at 100 N. Citrus St., Suite 205 on the 12<sup>th</sup> day of July, 2005.

Chairperson Vern Van Voorst called the meeting to order at 6 P.M.

### BOARD MEMBERS

**Present:** Edward O. Aguirre, Judith E. Bean, Michael Gering, Heather Johnson, Mark Santarsiero, Vern Van Voorst

Michael Brown was present and was voted in as a board member (see motion below).

**Absent:** None

**RPN STAFF PRESENT:** Interim CEO: Thomas Fernandez; HR Director: Teresa Reta;

Controller: Roland Navarro; Clinical Director: Claire Greene

**GUEST PRESENT:** Mr. Al Fong, Senior Auditor Controller, Los Angeles County.

Motion: Minutes from the board meeting held on June 28, 2005 were reviewed by board members. Ed moved to approve the minutes. Michael Gering seconded the motion. All were in favor. The motion passed.

Old Business: Increasing RPN Board Members:

Vern invited Michael Brown to attend this board meeting. Vern was not able to get in touch with the other candidate. Mr. Brown introduced himself. He has held positions as CEO of various companies; senior financial and operating managerial posts, consultant and has focused his interests in finance, operations and management, especially assisting companies requiring "Turnaround" type difficulties.

Motion: Ed moved to accept Michael Brown as a RPN Board Member. Mark seconded.. All were in favor. The motion passed.

INTERIM CEO'S REPORT: Thomas Fernandez

B of D Minutes, July 12, 2005 Page 2 of 4

Fire damage at RPN office: A fire occurred the evening of July 4 on the 4<sup>th</sup> floor causing extensive water damage to the second floor. One half of the RPN suites suffered extensive damage and as a result space is cramped.

Social Workers. Some meetings are being held at other RPN offices. Major reconstruction is scheduled to take several months.

Placements are down, primarily due to school being closed for the summer. Currently at 300.

Staffing- some reduction will be required in order to more efficiently align staff and placement level.

#### CONTROLLER'S REPORT: Roland Navarro

--The first half of the year through June 2005 posted a loss of (\$43, 844) which is mostly attributed to a decline in participants (300 current participants), higher than normal legal expenses and the recent increase in foster parent payment rates. This compares to the same period of 2004 which showed a loss , of (\$120,105) with 370 participants.

--July and August are slower months (school is closed, a major source of referrals).

--Roland is predicting to break-even at the end of the year, and proposes several cost reduction measures, due to declining participants, that will be discussed further.

--Roland suggested having a financial committee meeting.

--Roland provided a Refugio Para Ninos, Financial Statement, June 2005.

#### LEGAL UPDATE REPORT: Ed Aguirre

Ed has been working on the RPN BY-LAWS and brought these suggestions to the floor:

SECTION 2 NUMBER AND QUALIFICATION OF DIRECTORS, change to:

--that the RPN Board consist of a minimum of 7 members with a maximum of 15 members

--delete statement "Directors need not be residents of the State of California."

#### SECTION 4 VACANCIES

--(b) Resignations: Ed will consult legal guidance regarding this statement.

#### ARTICLE VIII, SECTION 1. OFFICERS

--change President to Chairman of the Board.

He asked that the board provide any other comments or suggestions. He also suggested that we come up with a standard agenda format for our meetings.

B of D Minutes, July 12, 2005 Page 3 of 4

#### INCIDENT REPORT: Claire Greene, Clinical Director



Seven incident reports were filed. See attachment provided by Claire.

SEXUAL HARASSMENT TRAINING: Vern Van Voorst

A training on Sexual Harassment will be scheduled for all staff. Recent training on this topic has not been provided. All employees do sign a statement regarding sexual harassment and it is placed in their personnel file.

AGENDA ITEMS for next meeting:

Administration:

- Standard agenda format for RPN board meetings
- Agency Manual for Board Members: mission statement, program orientation, training info, etc.
- Adoption Plan--presentation by Thomas
- Recruitment Plan
- Sexual Harassment training
- Explore moving Rancho office (between Riverside and San Bernardino)
- Merrill Lynch rep. presentation (Roland)
- Fire damage update

Next Board of Director's meeting: Tuesday, August 9, 2005 at 6 P.M. at West Covina office.

ADJOURN

MOTION: Ed moved to adjourn the meeting. Mark seconded the motion. All were in favor. The meeting adjourned at 7:35 P.M.

Respectfully submitted,

Judith E. Bean

Secretary

## ATTACHMENT VII

**REFUGIO PARA NINOS***Foster Family Agency*

August 9, 2005

DRAFT

**MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS**  
Refugio Para Ninos, Foster Family Agency (the "Corporation") held at 100  
N. Citrus Street, Suite 205 on the 9<sup>th</sup> day of August, 2005.

Chairperson Vern Van Voorst called the meeting to order at 6:00 pm.

**BOARD MEMBERS**

**PRESENT:** Vern Van Voorst, Edward O. Aguirre, Judith E. Bean, Michael Gering, Heather Johnson, Mark Santarsiero, Michael Brown.

**ABSENT:** None.

**RPN STAFF PRESENT:** CEO: Thomas Fernandez; Controllor: Roland Navarro; Clinical Director: Claire Greene.

**GUESTS:** Adrian Sanchez, Supervisor of the Rancho Cucamonga Office, Suan Stapantyanon-Piñon, Orange County Office.

Motion: Minutes from the board meeting held on July 12<sup>th</sup>, 2005 were reviewed by board members. Members decided to postpone the approval of the minutes pending review and/or correction.

Status on New Location for Rancho Cucamonga: Adrian Sanchez discussed plans for a more centralized placement unit for San Bernardino and Riverside County areas so RPN can begin offering services in Riverside County. A comprehensive program statement must be submitted by October 30<sup>th</sup>, 2005 in order for an MOU to be considered.

The following items must be accomplished by Refugio Para Ninos:

1. Program statement
2. New office location
3. Recruitment of foster parents

Adrian discussed the status of operations and the level of foster families in the area. Ed suggested some additional approaches as a means to inform the community of their services and recruiting foster families.

Status on Orange County Office: Suan Stapatyanon-Piñon gave the board members an update regarding the Orange County office. Since June, they have added placements and homes and are establishing good relationships with the foster parents. Suan discussed the demand for placement of Vietnamese children. Advertisements have been placed on the radio and flyers have been distributed in the surrounding area. Refugio Para Niños is the only agency with foster families speaking Vietnamese. Suan informed the board of upcoming recruitment functions. Ed asked for a list of dates when the functions will be taking place in order to provide volunteers to assist with the recruitment process. The Board of Directors thanked the Orange County team for their hard work and dedication.

Status on Sexual Harassment Training: Tomas discussed the upcoming sexual harassment training that will be given to line staff (8/11/05) and management (8/25/05) at the Rancho Cucamonga and Covina sites. It is being emphasized that the trainings are mandatory.

Presentations: Ed asked if the number of staff presentations given can be kept to a two or three per meeting so that all items on the meeting agenda can be discussed. This was agreed.

Fire Update: Roland stated that he is waiting to hear from the building management regarding a rent credit for the month of July since the extensive damage caused by the fire prevented staff from using most offices.

(RPN Staff was asked to step out of the meeting so the BOD could have a discussion.)

Motion: The Board of Directors discussed the need for the organizational restructuring of RPN staff. Without further delay, Ed Aguirre was approved as the new CEO of RPN, as a focal point to represent the Board day to day during this transitional period. Tomas Fernandez will be appointed as the COO. Michael Brown made a motion to suspend the terminations from Monday pending further assessment. Michael Gering seconded the motion. All members were in favor and the motion passed. (RPN staff was



asked to join the meeting again.) Chairperson Vern Van Voorst advised the RPN staff of the BOD's decision to appoint Ed Aguirre as CEO and Tomas Fernandez as COO in order to review the organizational structure of the agency for a three month period. Board Member Mark Santarsiero left the meeting to catch a flight.

Incident Reports: A list of incident reports for the month of June was reviewed by Claire. Vern clarified that only incidents occurring since the previous RPN meeting need to be reported on.

Financial Reports: Roland reviewed the financial statement for July 2005 and the Merrill Lynch Report. Vern asked for a breakdown of expenses for RPN. Roland will follow up with that at a later time.

Motion: Ed reviewed the proposed amendments to the by-laws as discussed with Samuel P. Crowe on July 25, 2005. Ed made a motion for the BOD to amend Article V- first paragraph, Article VI- section 2, Article VI- section 4 to add sub-section iv. Heather seconded the motion. The vote was five in favor of the changes as presented and Michael Gering against. Motion passed. Changes attached.

Meeting officially adjourned at 9:00 pm.

Next BOD's meeting is scheduled for Tuesday, August 23<sup>rd</sup>, 2005 at 6:00 pm.

Reviewed and respectfully submitted by: \_\_\_\_\_  
Michael Brown, BOD

Minute Recorder: \_\_\_\_\_  
Sophia Hernandez



REFUGIO PARA NINOS  
BOARD OF DIRECTORS

August 9, 2005

TO: BOARD OF DIRECTORS  
FROM: ED AGUIRRE  
RE: PROPOSED AMENDMENTS TO THE BYLAWS:RPN

As directed by the Board, I met with Samuel P. Crowe on July 25, 2005, to discuss amendments to the Bylaws of Refugio Para Ninos. The following issues regarding the Bylaws of the Corporation were discussed:

Article V: The first paragraph of Article V includes the following language: "No part of the net income or assets of the organization shall ever inure to the benefit of any director, officer or member of this corporation or to the benefit of any private individual."

Proposed change to the first paragraph of Article V:

*The property of this Corporation is irrevocably dedicated to organization and management of a foster family agency and related activity and, except for reasonable director's fees or salaries paid to its employees, no income or assets shall inure to the benefit of any director or officer of the Corporation. In the event the Corporation has members no income or asset shall inure to the benefit of any member.*

Article VI, Section 1

Although it is not implicit that a Director be removed by majority vote of the Board of Directors, if the Board of Directors is to have that right, it should be more specifically stated. Note that Article VI, Section 4 (a)i refers to the removal of a Director.

Article VI, Section 2

Proposed change to Article VI, Section 2:

*The Authorized number of Directors shall be no more than fifteen (15) and no less than seven (7) until changed by amendment of the articles or by an amendment of this section of the Bylaws. The Board of Directors shall adopt a resolution fixing the number of directors from time to time. A Director shall be a resident of the State of California.*

*The Executive Director may serve on the Board if elected by the Board of Directors. However, he or she may not vote on any matters relating to his or her own compensation or employment.*

Article VI, Section 1 (b)(i):

Article VI, Section 1(b)(i), allows the Directors to select or remove any officers, agents or employees of the Corporation. Normally the removal of employees is done by the Executive Director, not the Board of Directors. Therefore, the Board of Directors should give some thought to this issue.

Article VI, Section 4:

Proposed change to Article VI, Section 4, add sub-section iv to read:

*The Board of Directors, by majority vote, may remove a Director with or without cause.*

Article VI, Sections 6, 7:

Discussed the fact that Article VI, Sections 6 and 7, provide for an annual meeting and other meetings to be held without notice. Although, in the past, Board of Directors were notified of the meetings, notice procedures should be more specific. In the case of the annual meeting, normally there is a fixed date for this meeting following the end of the corporation's fiscal year, with a provision that if the fixed date were on a holiday, Saturday or Sunday, then the meeting would be held the following business day. If the annual meeting date is set forth in the Bylaws, notice need not be given. With respect to the other meetings of the Board of Directors, the Bylaws should contain notice provisions, that is, at a minimum pursuant to California law, four (4) days' notice by first class-mail, or 48 hours' notice delivered personally, or by telephone, electronic transmission or a voice messaging system. The Board should also provide in the Bylaws who should call these special meetings. The California Corporations Code provides that the chair of the board, the president, any vice-president or the secretary, or any two directors may call a meeting of the Board.

Article VI, Article VIII:

There is currently no Vice President and there is some confusion between the Executive Director, as mentioned in Article VI, Section 2, and the President, as defined in Article VIII, Section 7(b). We need to clarify the executive position of the Corporation.




DAVID SANDERS, PH.D.  
Director

**County of Los Angeles**  
**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**  
425 Shatto Place -- Los Angeles, California 90020  
(213) 351-5602

Board of Supervisors  
GLORIA MOLINA  
First District  
YVONNE B. BURKE  
Second District  
ZEV YAROSLAVSKY  
Third District  
DON KNABE  
Fourth District  
MICHAEL D. ANTONOVICH  
Fifth District

October 26, 2005

TO: Supervisor Gloria Molina, Chair  
Supervisor Michael D. Antonovich, Chair Pro Tem  
Supervisor Yvonne B. Burke  
Supervisor Zev Yaroslavsky  
Supervisor Don Knabe

FROM: David Sanders, Ph.D.   
Director

**APRIL 26, 2005 BOARD AGENDA ITEM # 22: REFUGIO PARA NIÑOS MONTHLY REPORT**

As the Department of Children and Family Services (DCFS) has been charged with providing monthly reports of Refugio Foster Family Agency (Refugio) to the Board, the following summarizes the monitoring visit conducted by DCFS, Out-of-Home Care Management Division (OHCMD), and fiscal reports from the Auditor-Controller and DCFS Fiscal Monitoring and Special Payments Section, which outline the activities for September 2005.

**FISCAL ISSUES**

The DCFS Fiscal Monitoring and Special Payments Section reported that Refugio submitted its September monthly expenditure report timely, and there were no issues to report.

On October 18, 2005, the Auditor-Controller's Office (A-C) informed DCFS that, in accordance with the Corrective Action Plan contained in the current Contract with Refugio, they are currently conducting a fiscal review of the agency. Therefore, they will not be issuing a report this month.

Refugio's monthly expenditure report is attached (Attachment I).



## **DCFS MONITORING**

On October 17, 2005, the OHCMD Monitor assigned to Refugio spoke with Refugio's Chief Executive Officer (CEO) who stated that there are 287 foster children currently in placement and the agency has 105 certified foster parents. The CEO further stated that one of Refugio's supervisors, Cynthia Jones, has been promoted and is now Refugio's Administrator, and that the Clinical Director is no longer employed by the agency.

On the same date, the CEO stated the A-C Countywide Contract Monitoring Division initiated a program audit of Refugio on October 3, 2005 that is ongoing. For this reason, on October 13, 2005, the OHCMD requested that the A-C Countywide Contract Monitoring Division provide us with preliminary findings of its review. On October 17, 2005, the A-C Principal Accountant-Auditor whose Division will be conducting a fiscal audit of the agency, responded via email it would not be available in time to be included with this report. Therefore, the A-C Principal Accountant-Auditor will be issuing his report on their audit to the Board separately. As Refugio has historically been programmatically compliant with prior contracts and the A-C is reviewing the fiscal matters, the monitoring focused on safety issues that relate to performance and the structure of its Board of Directors.

## **SAFETY**

On October 11, 2005, Refugio submitted a CAP with regard to the OHCDM September 19, 2005 monitoring report recommendations. The CAP was approved as submitted. A copy of the CAP is attached (Attachment II).

DCFS researched OHCMD's I-track database and CWS/CMS for Child Protection Hotline (CPHL) referrals and Special Incident Reports (SIRs) from September 15, 2005 to October 15, 2005. There were no CPHL referrals during this reporting period.

Refugio FFA has been reporting special incidents in accordance with the reporting requirements as stipulated in the contract, Section 10.0, Program Reporting Requirements. During our review, we noted there were five SIRs received:

- One SIR indicated that a 16-year-old child accepted a ride from a male friend instead of taking public transportation. While in transit, they were stopped by Los Angeles County Sheriff as the car had been reported stolen. After questioning, the child was released to the foster mother and no charges were filed against the child. Refugio reported the incident in a timely manner, it was appropriately handled, and it did not require a referral to the CPHL.
- The second SIR indicated that a four-year-old child experienced trouble breathing, was taken to the doctor who advised the foster mother to take the child to the hospital. At the hospital, the child was given oxygen and later released. The foster



parents acted appropriately by taking the child to the doctor and the hospital. Refugio reported the incident in a timely manner, it was appropriately handled, and it did not require a referral to the CPHL.

- The third SIR concerned a 16-year-old child who was suspended from school, as she was involved in a physical altercation with a fellow student. Refugio reported the incident in a timely manner, it was appropriately handled, and it did not require a referral to the CPHL.
- The fourth SIR involved a 14-year-old child who suffocated her pet hamster. The child was taken to her regular therapy session and seen by her therapist. The child was determined to be a danger to herself and/or others and taken to the psychiatric hospital for evaluation. The foster mother acted appropriately and reported the incident to Refugio. Refugio reported the incident in a timely manner, it was appropriately handled, and it did not require a referral to the CPHL.
- The fifth SIR involved an 11-year-old child who was suspended from school for bringing a toy gun. Refugio reported the incident in a timely manner and it did not require a referral to the CPHL.

Our current review indicates that the kinds of incidents reported are not unusual. Refugio is acting properly by reporting the serious incidents in a timely manner. As there were no CPHL referrals, no trends of abuse/neglect were noted.

### **BOARD STRUCTURE**

Refugio's CAP requires that the agency's Board of Directors consist of seven members at all times.

- On October 17, 2005, Refugio's CEO reported that their Board has seven members, which complies with the CAP (Exhibit U). This was confirmed as Refugio provided OHCMD with a current Board Members' list.
- Refugio held a Board meeting on September 1, 2005. A review of the Board meeting minutes reflect that the Board reviewed SIRs as required by Title 22, Foster Family Agencies Regulations. A copy of the Board meeting minutes is attached (Attachment III).

### **CONCLUSION**

It appears that Refugio has made significant strides in complying with the CAP. The agency is cooperating with the DCFS Finance Section to ensure monthly expenditure reports are submitted timely, they are financially stable, and the recommendations made by the OHCMD are being implemented. **Given Refugio's ongoing compliance**

**and cooperation/willingness to address concerns, we are requesting that the monthly report to the Board of Supervisors be decreased to a semi-annual report.** Although Refugio is cooperating with the A-C and DCFS, the alternative plan of action remains the same as follows, if needed:

**Alternative Plan of Action**

- Every effort will be made to maintain the children with the same foster parents to avoid placement disruption.
- CSWs who have children placed with Refugio will be instructed to make immediate and regular visits of the children in the Refugio foster homes. If the children's safety is in question, the CSWs will take appropriate action that may include replacing the children.
- The Refugio foster parents will be informed immediately by telephone and letter of the pending termination of the contract with Refugio and the County's plan to review various options with them regarding their ability to continue care of DCFS children placed with them.
- In collaboration with Community Care Licensing (CCL), a meeting will be scheduled immediately with all foster parents where they will be informed of their options to associate themselves with another Foster Family Agency or become licensed foster parents with the State.
- The foster parents will be told to continue to utilize the services of their Agency social worker. If they are not receiving the services from Refugio and/or if safety situations arise, they will be instructed to contact the child's CSW immediately.
- During this entire process, DCFS will be working closely with CCL to consider various options, such as certifying foster parents pending licensure or certification; in the event, the contract with Refugio requires immediate termination.

If you have any questions please call me, or your staff may contact Helen Berberian, Board Relations Manager at (213) 351-5530.

DS:LP:ES  
EH:dv

**Attachments**

c: Chief Administrative Officer  
County Counsel  
Board of Supervisors Executive Officer

## ATTACHMENT I

EXHIBIT E

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES  
FOSTER FAMILY AGENCY SEMI-ANNUAL REVENUE AND EXPENDITURE SUMMARY**

Agency Name: REFUGIO PARA NINOReport Period: September 2005Agency Address: 100 N. Citrus St. Suite 205, West Covina, CA 91791 - 1614Contact Person: Tomas Fernandez - CEOPhone: (626) 858 -8684**A. REVENUES:****Sources**

(4) Total for Months (5) Year-to-Date

	(4) Total for Months	(5) Year-to-Date
1 AFDC-FC FFA Revenues	\$ 472,384.00	\$ 4,458,275.61
2. Other Governmental Revenues (Interest, Gain/Losses on Inv.)	\$ 1,667.93	\$ 50,479.66
3. Total Revenues	\$ 474,051.93	\$ 4,509,755.27

**B. CONTRACT EXPENDITURES**

Expenditure Categories	1 Allowable	2 Unallowable	3 Personal	(4) Total for 6 Months (Sum of Co. 1	(5) Year-to-Date
1. Administrative Payroll (Total)					
a. Executive Director's Salary	9,118.00	-	-	9,118.00	82,062.00
b. Clinical Director's Salary	-	-	-	-	43,050.00
c. Administrator Salary					
d. Other Administrative Salaries	29,803.84	-	-	29,803.84	372,180.42
2. Recruitment Payroll					
3. Training Payroll	136.99	-	-	136.99	2,851.64
4. Administrative Contracts					
5. Telephone and Telegraph	4,899.17	-	-	4,899.17	41,590.49
6. Postage and Freight	352.35	-	-	352.35	9,392.01
7. Office Supplies	4,002.37	-	-	4,002.37	46,122.18
8. Conferences, Meetings	-	-	-	-	11,030.89
9. Memberships, Subscriptions/Dues	1,944.00	-	-	1,944.00	9,943.01
10. Printing & Publications	351.17	-	-	351.17	5,014.30
11. Bonding, Insurance Premiums	21,366.46	-	-	21,366.46	95,387.92
12. Advertising	7,905.51	-	-	7,905.51	45,538.12
13. Miscellaneous	58,120.23	-	-	58,120.23	543,829.89
Subtotal	138,000.09	-	-	138,000.09	1,307,992.87



Expenditure Categories	1 Allowable	2 Unallowable	3 Personal	(4) Total for 6 Months (Sum of Co. 1	(5) Year-to-Date
14. Building and Equipment Payroll					
15. Building Rents and Leases	6,803.32	-	-	6,803.32	112,590.05
16. Principal and Interest				-	-
17. Property Appraisal Fees				-	-
18. Property Taxes	-			-	-
19. Equipment and Property Ins.				-	-
20. Utilities	-			-	719.76
21. Building Maintenance	113.69			113.69	12,530.12
22. Building & Equipment Contracts				-	-
23. Building & Equipment Supplies	4,079.87			4,079.87	50,793.68
24. Equipment Leases	2,470.53			2,470.53	20,721.12
25. Depreciation Expenses				-	-
26. Non-Depreciable Equipment	-			-	4,757.11
27. Building & Equipment Misc.				-	-
28. Vehicle Leases				-	-
29. Vehicle Depreciation				-	-
30. Vehicle Operating Costs	5,726.01			5,726.01	28,008.16
<b>Subtotal</b>	<b>19,193.42</b>	<b>-</b>	<b>-</b>	<b>19,193.42</b>	<b>230,120.00</b>

31. Total Paid to CFH	184,444.31	-	-	184,444.31	1,973,830.17
32. Other Child Related Costs	9,464.74	-	-	9,464.74	90,857.16
33. Social Worker Payroll	87,545.79	-	-	87,545.79	956,981.53
34. Social Worker Contracts	-	-	-	-	-
<b>Subtotal</b>	<b>281,454.84</b>	<b>-</b>	<b>-</b>	<b>281,454.84</b>	<b>3,021,668.86</b>

<b>35. Total Expenditures</b>	<b>438,648.35</b>	<b>4,559,781.73</b>
<b>36. Excess Revenues / Expenditures in Excess of Revenues</b>	<b>33,735.65</b>	<b>(100,506.12)</b>
<b>37. Less: Revenues from Other Governmental Sources</b>	<b>1,667.93</b>	<b>50,479.66</b>
(Section A, Line 2, Column 4)		
<b>38. Unexpended AFDC-FC-FFA Funds/Expenditures in Excess</b>	<b>35,403.58</b>	<b>(50,026.46)</b>
of AFDC-FC FFA Revenues		



C. Briefly describe services rendered during the reporting period as required in the Agency's Program Statement

A	Our Program provide the special services needed to nurture children to their fullest mental, emotional and spiritual development
B	RPN's Management and Social Workers worked with all Foster Parents access resources, coordinate services and create an individualized treatment plan for each child.
C	RPN assists and support all Foster Parents in providing foster children's emotional and financial care towards the goal of healthy development of a child.

D. Please indicate any difficulties encountered rendering services and/or complying with the Program Statement. Please indicate any such differences that could jeopardize the timeliness of placement or care provided to a child.

- Due to the fire in the building (4th floor) on the week-end of July 4, 2005, almost half of the whole 2nd floor where "water damaged". We where forced to relocate the departments affected with other departments, re-wire computers & telephones in order to perform their dally job. Some of our Social Workers are working temporarily in our Rancho Office. We are expecting to move back on Oct. 11, 2005.

I hereby certify to the best of my knowledge, under penalty of perjury, that the above is true and correct, that all amounts are traceable to Agency accounting records, and that all AFDC-FC monies received for the purposes of this program were spent in accordance with the agreement and all applicable Federal, State and County laws and regulations. Falsification of any amount disclosed herein shall constitute a false claim pursuant to the California Government Code, Section 12650 et seq.



Executive Director

10/12/05  
Date

Accounting Cycle: = Calendar Year

Begins: January 2005 Ends: December 2005

Accounting Basis: = Accrual

## MISCELLANEOUS ACCTS

	MONTHLY	CUMULATIVE
Executive Pension	-	2,500.00
Payroll Taxes	13,695.20	122,247.71
Health Insurance	19,271.86	154,983.19
Workers Comp	5,052.05	46,000.64
Employee Pension	2,389.16	38,601.92
Accounting & Prof.	1,120.00	23,553.14
Consultant Expense	420.14	2,570.14
Legal Fees	15,701.01	136,294.56
Administrative Expenses	334.06	723.91
Bank Fees	136.75	1,247.71
Continuing Ed	-	453.99
Penalties	-	300.00
Taxes & Licenses	-	14,252.98
TOTAL	<u>58,120.23</u>	<u>543,829.89</u>

## ATTACHMENT II



DAVID SANDERS, PH.D.  
Director

County of Los Angeles  
DEPARTMENT OF CHILDREN AND FAMILY SERVICES  
425 Shatto Place -- Los Angeles, California 90020  
(213) 351-5602

## Board of Supervisors

GLORIA MOLINA  
First District

YVONNE B. BURKE  
Second District

ZEV YAROSLAVSKY  
Third District

DON KNABE  
Fourth District

MICHAEL D. ANTONOVICH  
Fifth District

October 12, 2005

Tomás Fernández, COO  
Refugio Para Niños Foster Family Agency  
100 N. Citrus Street, Suite 205  
West Covina, Ca. 91791

**CORRECTIVE ACTION PLAN (CAP) APPROVAL LETTER**

Dear Mr. Fernández:

On October 11, 2005, the Out-of-Home Care Management Division (OHCMD) received the CAP requested on September 19, 2005, with regard to our monitoring of your agency. The CAP was reviewed and approved as submitted.

The OHCMD will conduct a follow up review in the near future to ensure that the recommendations made in our September 19, 2005 report have been fully implemented.

Thank you for your cooperation during the monitoring process. If you have any questions please call me at (626) 569-6820 or Darío Villamarín, Monitor at (626) 569-6827.

Cordially,

A handwritten signature in dark ink, appearing to read "N. Figueroa".

Néstor Figueroa, Manager  
Out-of-Home Care Management Division

**REFUGIO PARA NINOS****BOARD OF DIRECTORS MEETING**

**Agenda:** Tuesday, October 11, 2005 6:00 PM Covina Office

- I. Call Meeting to Order
- II. Roll Call
- III. Approval of Minutes
- IV. Staff Reports

**A. FINANCIAL :**

Roland Navarro  
CONTROLLER

- Financial update

**B. EXECUTIVE DIRECTOR :**

Tomas Fernandez

- Presentation of new administrator.
- Resolution for an ammendment to the program statement.
- Status of Agency's Audit By Dario Villamarin.
- Incident Reports.

**C. ADMINISTRATOR**

Cynthia Jones

- Placement Statistics.
- Recruitment
- Positions Available
- FCSW issues.

**D. HUMAN RESOURCES**

Teresa Reta

- Salary Survey
- Status on Personnel Audit



**V. Committee Reports**

**A. Agency personnel changes Michael Brown**

**B.**

**C.**

**VI. Action items**

**A. Vote on new Board member**

**B. Executive Director/COO annual review.**

**C. Plan for distribution of Vision/Principles/Values**

**D. Other**

**E.**

**VII. Discussion to Guide Future Items**

**A.**

**B.**

**C.**

**D.**

**VIII. Announcement/Calendar****IX. Adjourn**

# REFUGIO PARA NINOS

*Foster Family Agency*

September 20, 2005

**MINUTES OF A MEETING OF THE BOARD OF DIRECTOR(S)**  
Refugio Para Ninos, Foster Family Agency (the "Corporation") held at 100 N. Citrus Street, Suite 205 on the 20th day of September, 2005.

Chairperson designated Ed Aguirre to call the meeting to order at 6:05 pm.

## **BOARD MEMBERS**

**PRESENT:** Edward O. Aguirre, Michael Gering, Michael Brown, Judith E. Bean.

**ABSENT:** Vern Van Voorst, Heather Johnson, Mark Santarsiero.

**RPN STAFF PRESENT:** Executive Director, Thomas Fernandez;  
Controller, Roland Navarro.

**GUESTS:** Sharon Faulkner

Roll Call / Introductions: Roll call was taken as Board Members introduced themselves. Sharon Faulkner introduced herself to the Board of Directors and expressed her interest in becoming a board member. Sharon currently works in a Residential Treatment Center for adults with disorders.

Motion: Copies of the minutes from the BOD meeting held on August 23rd, 2005 were distributed to Board members for their review. Michael Brown made a motion to approve the minutes as written. Michael Gering seconded the motion. All were in favor and the motion passed.

## Staff Reports:

A. Executive Director/COO - Tomas distributed the DCFS's monthly report and the evaluation review results for Refugio Para Ninos to the Board of Directors for their review. The BOD discussed the recommendations by the auditor. Tomas is to respond to the

evaluation results once the final draft is submitted. Tomas distributed and reviewed an Action Plan Strategy proposal for increasing the amount of placements. The BOD suggested possibly assigning recruiting responsibilities to the social workers. Other topics discussed were: changes to the front offices, recruitment of new foster families, cost reduction measures, a new campaign and emphasizing the company vision to all employees.

B. Controller - Roland reviewed the P&L statement, gains and losses, the Merrill Lynch Report and the WCMA Account with the Board.

C. Incident Report - Tomas distributed the Incident Report for 2005 (attached) and reviewed with the BOD. The Board suggested that a resolution/action column be added to the incident report.

#### Committee Reports:

A. Finance - Michael Brown reviewed the financial status of Refugio Para Ninos and possible strategies to improve recruitment and services provided.

B. Personnel - Ed gave an update on the two new hires (assistants for Roland Navarro and Kris Topaz). Also discussed the high competence of Cynthia Jones' work with organizing and updating data.

C. By Laws - Ed informed the Board that the County has requested that a copy of any amendments to the By Laws be submitted to them prior to finalizing. Ed requested a copy of the program statement from Tomas.

#### Business Items:

A. Board Size - Ed invited Sharon Faulkner to return to the next Board of Directors meeting.

B. Distribution of Financial Information - Roland discussed the distribution of financial information and limiting it to the Executive Director and Board of Directors.

C. San Bernardino/Rancho Strategies - Michael Brown is to meet with and discuss strategies with the supervisor, Adrian Sanchez.

D. Policy Regarding Employment with a Secondary Agency - Ed discussed concerns with a former RPN employee who may be recruiting RPN families to transfer to their agency. Letters have been sent on behalf of RPN. The Board discussed a conflict of interest with RPN employees working at other agencies. Ed reviewed the company policy of working at other agencies and the statement that is signed by all employees upon hire. Michael Brown suggested having the supervisors follow up with any staff in question.

E. Other - Gayle submitted copies of a Vision/Principles and Values statement for the BOD to review.


Motion: Michael Brown made a motion to adopt the Vision/Principles and Values statement at Refugio Para Ninos. Judith Bean seconded the motion. All were in favor and the motion passed attached.

Meeting With A County Representative: Ed discussed the idea of designating a Board Member to meet with a County Representative to give an update on the agency. The BOD are to discuss at then next meeting.

Meeting officially adjourned at 8:35 pm.

Next BOD's meeting is scheduled for Tuesday, October 18, 2005 at 6:00 pm.

Reviewed and respectfully submitted by:

  
Judith E. Bean, RPN/BOD's Secretary

Minute Recorder:

Sophia Hernandez





DAVID SANDERS, PH.D.  
Director

**County of Los Angeles**  
**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**  
425 Shatto Place -- Los Angeles, California 90020  
(213) 351-5602

**Board of Supervisors**

**GLORIA MOLINA**

First District

**YVONNE B. BURKE**

Second District

**ZEV YAROSLAVSKY**

Third District

**DON KNABE**

Fourth District

**MICHAEL D. ANTONOVICH**

Fifth District

January 26, 2006

TO:

Mayor Michael D. Antonovich  
Supervisor Gloria Molina  
Supervisor Yvonne B. Burke  
Supervisor Zev Yaroslavsky  
Supervisor Don Knabe

FROM:

David Sanders, Ph.D.  
Director

**APRIL 26, 2005 BOARD AGENDA ITEM #22: REFUGIO PARA NIÑOS MONTHLY REPORT**

As the Department of Children and Family Services (DCFS) has been charged with providing monthly reports of Refugio Foster Family Agency (Refugio) to the Board, the following summarizes the monitoring visit conducted by DCFS, Out-of-Home Care Management Division (OHCMD), and fiscal reports from the Auditor-Controller (A-C) and DCFS Fiscal Monitoring and Special Payments Section, which outline the activities for December 2005.

**FISCAL ISSUES**

The DCFS Fiscal Monitoring and Special Payments Section reported that Refugio submitted its December 2005 monthly expenditure report timely, and there were no issues to report.

The A-C's Audit Division conducted a more in-depth fiscal monitoring review of Refugio. The issuance of a final written report is pending.

Refugio's monthly expenditure report is attached (Attachment I).

## **DCFS MONITORING VISITS**

Refugio has 100 certified foster homes where 261 children are currently placed.

On December 30, 2005, the A-C's Countywide Contract Monitoring Division issued a program audit report. The report identified several programmatic issues that impacted the children's quality of care. The report noted that Refugio needed to immediately improve their oversight of their homes. In addition, Refugio needed to improve their oversight of the children's Needs and Services Plans and the other tools used to monitor the safety and well-being of the children placed under their care.

Based on the DCFS' monitoring and the A-C's programmatic findings, on January 9, 2006, Refugio was placed on Administrative Hold status for up to 45 days pending further action and to prevent any future placements. On January 9, 2006, Refugio was verbally informed of the Administrative Hold, and on January 11, 2006, a letter was faxed and sent via certified mail notifying Refugio in writing as to the Hold. A scheduled Review Conference was held on January 25, 2006 with representatives from Refugio. The Review Conference is a meeting in which Refugio will have the opportunity to discuss and respond to the findings by both DCFS and the A-C and to present additional information.

Copies of the A-C's contract review report, the Administrative Hold letter, and the notification letter to Refugio are attached (Attachments II, III and IV).

## **SAFETY**

In preparation for monitoring for the safety outcome, the DCFS Monitor researched OHCMD's I-track database to query for Special Incident Reports (SIR) and CWS/CMS Child Protection Hotline (CPHL) from December 15, 2005 to January 15, 2006.

There was one CPHL referral. The referral was made into the CPHL on December 24, 2005 by a Social Worker from a local hospital reporting that a 15-year-old child was ready to be discharged after being admitted for attempting to overdose on Tylenol. However, the child's foster mother was not available to pick the minor up from the hospital as she was out-of-town. Additionally, the CPHL Intake Evaluator attempted to contact Refugio, but there was no response from the agency. The child was picked up by the foster mother two days later after being ready for discharge. Although a disposition from the DCFS CSW is pending, in discussing the case with Refugio and based on the documentation submitted by the agency, we noted that there was no back up plan between the foster mother and the agency for the discharge of the child. Although there was one CPHL referral, no trends of abuse/neglect were noted for this period of review.

OHCMD found that Refugio has been reporting special incidents in accordance with the reporting requirements as stipulated in the Contract, Section 10.0, Program Reporting Requirements. For this reporting period (December 15, 2005 to January 15, 2006), Refugio filed 12 SIRs, all of them reported timely. Our current review indicates that these kinds of incidents reported to take place are not unusual.

### **BOARD STRUCTURE**

Refugio's CAP requires that the agency's Board of Directors consist of seven members at all times.

- On January 3, 2006, Refugio's Chief Financial Officer (CFO) reported that the agency's eighth and latest Board member resigned. However, Refugio is in compliance with the CAP as at least seven members are on the Board. Refugio's Board used to meet four times a year. Although not required, they began meeting monthly to better address the concerns of the Board, DCFS and the A-C. It was also reported that Refugio's Board did not meet in the month of December 2005.

### **CONCLUSION**

Our scope of review is limited to this Board order and monitoring of performance with regard to safety. However, based on the DCFS's monitoring and the A-C's programmatic findings, on January 9, 2006, Refugio was placed on Administrative Hold status for up to 45 days pending further action and to prevent any future placements. A Review Conference was held on January 25, 2006 with representatives from Refugio, in which the agency had the opportunity to discuss and respond to the findings by both DCFS and the A-C, and to present additional information. The outcomes of the Review Conference will be reported in the February 26, 2006 monthly report to the Board.

Refugio's Administration needs to ensure appropriate documentation is updated and that all recommendations made in the A-C's program audit review are appropriately addressed in a timely manner. Refugio's Executive Director reported that the agency submitted a CAP on January 19, 2006 to the A-C, DCFS, and each of the Board of Supervisors. Per the A-C Countywide Contract Monitoring Division, as of January 23, 2006, they have not yet reviewed the CAP. Therefore its approval is pending.

Although Refugio is cooperating with the A-C and DCFS, the alternative plan of action remains the same as follows, if needed:

### **Alternative Plan of Action**

- Every effort will be made to maintain the children with the same foster parents to avoid placement disruption.

- CSWs who have children placed with Refugio will be instructed to make immediate and regular visits of the children in the Refugio foster homes. If the children's safety is in question, the CSWs will take appropriate action that may include replacing the children.
- The Refugio foster parents will be informed immediately by telephone and letter of the pending termination of the contract with Refugio and the County's plan to review various options with them regarding their ability to continue care of DCFS children placed with them.
- In collaboration with Community Care Licensing (CCL), a meeting will be scheduled immediately with all foster parents where they will be informed of their options to associate themselves with another Foster Family Agency or become licensed foster parents with the State.
- The foster parents will be told to continue to utilize the services of their Agency social worker. If they are not receiving the services from Refugio and/or if safety situations arise, they will be instructed to contact the child's CSW immediately.
- During this entire process, DCFS will be working closely with CCL to consider various options, such as certifying foster parents pending licensure or certification, in the event the contract with Refugio requires immediate termination.

If you have any questions please call me, or your staff may contact Helen Berberian, Board Relations Manager at (213) 351-5530.

DS:LP:ES

EH:dv

#### Attachments

c: Chief Administrative Officer  
Auditor-Controller  
County Counsel  
Board of Supervisors Executive Officer



## ATTACHMENT I

EXHIBIT E

# DEPARTMENT OF CHILDREN AND FAMILY SERVICES FOSTER FAMILY AGENCY SEMI-ANNUAL REVENUE AND EXPENDITURE SUMMARY

Agency Name : REFUGIO PARA NINO

Report Period: December 2005

Agency Address: 100 N. Citrus St. Suite 205, West Covina, CA 91791 - 1614

Contact Person: Tomas Fernandez - CEO

Phone: (626) 858 -8684

## A. REVENUES:

(4) Total for Months (5) Year-to-Date

Sources		
1. AFDC-FC FFA Revenues	\$ 418,741.00	\$ 5,651,831.72
2. Other Governmental Revenues (Interest Gain/Losses on Inv.)	\$ -	\$ -
3. Total Revenues	\$ 418,741.00	\$ 5,651,831.72

## B. CONTRACT EXPENDITURES

Expenditure Categories	1 Allowable	2 Unallowable	3 Personal	(4) Total for 6 Months (Sum of Col. 1	(5) Year-to-Date
1. Administrative Payroll (Total)				12,118.00	103,298.00
a. Executive Director's Salary	12,118.00	-	-	-	43,050.00
b. Clinical Director's Salary	-	-	-	-	-
c. Administrator Salary	-	-	-	50,709.00	498,974.30
d. Other Administrative Salaries	50,709.00	-	-	-	-
2. Recruitment Payroll	-	-	-	-	3,811.64
3. Training Payroll	-	-	-	-	-
4. Administrative Contracts	-	-	-	3,335.57	52,345.82
5. Telephone and Telegraph	3,335.57	-	-	51.31	9,689.45
6. Postage and Freight	51.31	-	-	13,255.31	79,796.18
7. Office Supplies	13,255.31	-	-	250.00	11,280.89
8. Conferences, Meetings	250.00	-	-	972.00	13,054.01
9. Memberships, Subscriptions/Dues	972.00	-	-	896.00	6,508.28
10. Printing & Publications	896.00	-	-	12,762.57	127,648.63
11. Bonding, Insurance Premiums	12,762.57	-	-	5,716.00	70,976.89
12. Advertising	5,716.00	-	-	56,468.72	681,880.14
13. Miscellaneous	56,468.72	-	-	-	-
Subtotal	156,534.48	-	-	156,534.48	1,702,315.23

Expenditure Categories	1 Allowable	2 Unallowable	3 Personal	(4) Total for 6 Months (Sum of Col. 1-3)	(5) Year-to-Date
14. Building and Equipment Payroll			-	17,392.02	153,763.69
15. Building Rents and Leases	17,392.02	-	-	-	-
16. Principal and Interest				-	-
17. Property Appraisal Fees				-	-
18. Property Taxes	-			-	-
19. Equipment and Property Ins.				-	-
20. Utilities				1,229.86	15,107.95
21. Building Maintenance	1,229.86			-	-
22. Building & Equipment Contracts				5,334.11	32,616.19
23. Building & Equipment Supplies	5,334.11			541.22	25,947.04
24. Equipment Leases	541.22			-	-
25. Depreciation Expenses				-	8,601.97
26. Non-Depreciable Equipment	-			-	-
27. Building & Equipment Misc.				-	-
28. Vehicle Leases				-	-
29. Vehicle Depreciation				9,320.49	51,881.80
30. Vehicle Operating Costs	9,320.49			-	-
<b>Subtotal</b>	<b>33,817.70</b>	<b>-</b>	<b>-</b>	<b>33,817.70</b>	<b>287,918.64</b>

31. Total Paid to CFH	185,378.00	-	-	185,378.00	2,509,540.73
32. Other Child Related Costs	23,324.80	-	-	23,324.80	149,404.58
33. Social Worker Payroll	132,760.69	-	-	132,760.69	1,240,022.68
34. Social Worker Contracts	-	-	-	-	-
<b>Subtotal</b>	<b>341,463.49</b>	<b>-</b>	<b>-</b>	<b>341,463.49</b>	<b>3,898,967.99</b>

35. Total Expenditures	531,815.67	5,889,201.86
36. Excess Revenues / Expenditures in Excess of Revenues	(113,074.67)	(237,370.14)
37. Less: Revenues from Other Governmental Sources (Section A, Line 2, Column 4)	-	-
38. Unexpended AFDC-FC-FFA Funds/Expenditures in Excess of AFDC-FC FFA Revenues	(113,074.67)	(237,370.14)

C. Briefly describe services rendered during the reporting period as required in the Agency's Program Statement

A Our Program provide the special services needed to nurture children to their fullest mental, emotional and spiritual development


B RPN's Management and Social Workers worked with all Foster Parents access resources, coordinate services and create an individualized treatment plan for each child.

C RPN assists and support all Foster Parents in providing foster children's emotional and financial care towards the goal of healthy development of a child.

D. Please indicate any difficulties encountered rendering services and/or complying with the Program Statement. Please indicate any such differences that could jeopardize the timeliness of placement or care provided to a child.

NONE -

I hereby certify to the best of my knowledge, under penalty of perjury, that the above is true and correct, that all amounts are traceable to Agency accounting records, and that all AFDC-FC monies received for the purposes of this program were spent in accordance with the agreement and all applicable Federal, State and County laws and regulations. Falsification of any amount disclosed herein shall constitute a false claim pursuant to the California Government Code, Section 12650 et seq.

  
Executive Director

  
Date

Accounting Cycle: = Calendar Year

Begins: January 2005 Ends: December 2005

Accounting Basis: = Accrual

## MISCELLANEOUS ACCTS.

## MONTHLY

## CUMULATIVE

	-	2,500.00
Executive Pension	20,541.86	169,958.98
Payroll Taxes	4,848.63	192,104.58
Health Insurance	5,793.41	54,749.46
Workers Comp	2,509.15	43,771.02
Employee Pension	18,217.01	43,198.93
Accounting & Prof.	1,000.00	5,570.14
Consultant Expense	1,715.60	135,999.81
Legal Fees	843.06	1,956.80
Administrative Expenses	-	1,321.69
Bank Fees	-	453.99
Continuing Ed	-	300.00
Penalties	1,000.00	5,157.26
Recruitment Expense	-	24,937.48
Taxes & Licenses	-	681,880.14
TOTAL	<u>56,468.72</u>	<u>681,880.14</u>



ATTACHMENT II



J. TYLER McCAULEY  
AUDITOR-CONTROLLER

**COUNTY OF LOS ANGELES  
DEPARTMENT OF AUDITOR-CONTROLLER**

KENNETH HAHN HALL OF ADMINISTRATION  
500 WEST TEMPLE STREET, ROOM 525  
LOS ANGELES, CALIFORNIA 90012-2766  
PHONE: (213) 974-8301 FAX: (213) 626-5427

December 30, 2005

TO: Mayor Michael D. Antonovich  
Supervisor Gloria Molina  
Supervisor Yvonne B. Burke  
Supervisor Zev Yaroslavsky  
Supervisor Don Knabe

FROM: J. Tyler McCauley  
Auditor-Controller

SUBJECT: **REFUGIO PARA NIÑOS FOSTER FAMILY AGENCY CONTRACT  
REVIEW**

We have completed a contract compliance review of Refugio Para Niños Foster Family Agency (Refugio or Agency), a Foster Family Agency service provider. The review was conducted by the Auditor-Controller's Countywide Contract Monitoring Division.

**Background**

The Department of Children and Family Services (DCFS) contracts with Refugio, a private, non-profit, community-based organization to recruit, train, and certify foster care parents for the supervision of children placed in foster care by DCFS. Once the Agency places a child, it is required to monitor the placement until the child is discharged from the program.

Refugio is required to hire qualified social workers to provide case management and act as a liaison between DCFS and foster parents. Refugio's headquarters is located in West Covina in the Fifth District. Refugio also has offices in San Bernardino County and Orange County. Refugio oversees a total of 121 certified foster homes in which 329 DCFS children were placed.

DCFS pays Refugio a negotiated monthly rate, per child placement, established by the California Department of Social Services (CDSS) Funding and Rate Bureau. Based on the child's age, Refugio receives between \$1,589 and \$1,865 per month, per child. Out of these amounts, the Agency pays the foster parents between \$624 and \$790 per

*"To Enrich Lives Through Effective and Caring Service"*

Board of Supervisors  
December 30, 2005  
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month, per child. For Fiscal Year 2004-05, DCFS paid Refugio approximately \$6,066,000.

#### **Purpose/Methodology**

The purpose of the review was to determine whether Refugio was providing the services outlined in their Program Statement and County contract. We also evaluated Refugio's ability to achieve planned staffing levels. Our monitoring visit included verifying whether Refugio received the appropriate reimbursement rate for each child and whether the certified foster parents received their portion of the reimbursement rate in a timely manner. We reviewed certified foster parent files, children's case files, personnel files, and interviewed Refugio's staff, the children and the foster parents. We also visited a sample of certified foster homes.

#### **Results of Review**

Refugio needs to immediately improve their oversight of their foster homes. In addition, Refugio needs to improve the quality of the children's Needs and Services Plans and the other tools used to monitor the safety and well-being of the children placed under their care. The Agency also did not appropriately return funds received from DCFS for placements no longer in the Agency's care. Specifically, we noted:

- The Needs and Services Plans prepared by Refugio's staff did not contain short and long term goals that are specific, measurable, attainable and time limited as required. In addition, the Plans were not individualized to meet the specific needs of each child.
- Refugio staff did not evaluate each of the 11 foster homes visited to determine the foster parents' ability to effectively care for more than two children prior to placing more than two children in the home as required by the County contract. An average of four children were placed in each of the 11 foster homes.
- Four (36%) of the 11 homes visited had safety violations that Refugio staff did not report during their bi-weekly visits to homes. One of the four homes had significant safety, maintenance and child rights violations. In addition, the foster parents spoke very little English and used their daughter as an interpreter to communicate with the four foster children. Subsequent to our review, Refugio's social worker and supervising social worker visited the home several times to verify that all violations were corrected. The foster parents were also placed on six months probation.
- Refugio's staff did not always prepare a Special Incident Report when a child exhibits reportable behavior or when a child was injured. We noted three behavioral incidents for one child and an injury for another child received that required the Agency to prepare a Special Incident Report and submit it to the appropriate

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parties, including the DCFS Children's Social Worker and CDSS Community Care Licensing Division.

- The Agency did not return the funding they received from DCFS between December 2004 and August 2005 for one child who left the Agency's care in December 2004. The overpayments totaled approximately \$11,000. In addition, the Agency did not return approximately \$300 for funding received from DCFS related to three children in which the Agency had no record of the children being assigned to them.
- In July 2005, Refugio received approximately \$600 in clothing allowance payments. The monies were to be immediately forwarded to the foster parent to purchase clothing for the children. As of October 2005, the Agency had not forwarded the monies to the three foster parents.

The details of our review, along with recommendation for corrective action, are attached.

#### Review of Report

On December 22, 2005, we discussed our report with Refugio who agreed with the findings. In their attached response, Refugio management indicates they are working with our Department to develop a Corrective Action Plan and will submit the plan to the Board of Supervisors within thirty days. The corrective action plan will also include the specific steps that Refugio plans to follow to resolve the language issue and child rights violation at one of the homes noted in the report. We also notified DCFS of the results of our review.

We thank Refugio for their cooperation and assistance during this review. Please call me if you have any questions, or your staff may contact Don Chadwick at (626) 293-1102.

JTM:MMO:DC

Attachment

c: David E. Janssen, Chief Administrative Officer  
David Sanders, Ph.D., Director, Department of Children and Family Services  
Dr. Tomas Fernandez, Director, Refugio Para Niños Foster Family Agency  
Colleen Anderson, Community Care Licensing  
Public Information Office  
Audit Committee

**COUNTYWIDE CONTRACT MONITORING DIVISION  
FOSTER FAMILY AGENCY PROGRAM  
FISCAL YEAR 2005-2006  
REFUGIO PARA NIÑOS FOSTER FAMILY AGENCY**

**BILLED SERVICES**

**Objective**

Determine whether Refugio Para Niños Foster Family Agency (Refugio or Agency) provided program services in accordance with their County contract and California Department of Social Services (CDSS) Title 22 Regulations.

**Verification**

We visited 11 of the 121 Los Angeles County certified foster homes that Refugio billed the Department of Children and Family Services (DCFS) in June and July 2005 and interviewed 11 foster parents and 18 of the 45 children placed in the 11 homes. We also reviewed the case files for 21 foster parents and 30 children for documentation to evaluate the Agency's ability to comply with the contract requirements. In addition, we reviewed the Agency's monitoring activity and reconciled the payments the Agency received for active cases in May and June 2005 to the listing of active cases maintained by Refugio.

**Results**

**Foster Home Visitations**

According to the County contract and Title 22 requirements, foster homes are to be well-maintained and provide a safe and clean environment for the children. This includes clean living areas, safe and secured play areas, appropriate disaster planning, smoke detectors in hallways, and storing unsafe tools and medication in a secured location.

Our review of the 11 foster homes noted the following:

For one (9%) of the 11 homes visited, the home had numerous safety, maintenance and child rights violations. One of the children's bedroom had broken window blinds, a stained dirty sheet as the only bed covering, and pillows without pillow cases. In addition, both children's bedrooms did not have good ventilation. The windows in the bedrooms were open during our visit, but did not cool the rooms to a comfortable temperature. The hallway leading to the children's bedroom did not have a smoke detector. The dining area of the home contained only six chairs for a home of nine people and the majority of these chairs were either broken or the upholstery was torn and frayed.

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**Refugio Para Niños Foster Family Agency****Page 2**

The backyard was overgrown with shrubbery and trees and contained broken ceramic floor tiling, rusted cable dish equipment, piles of wood, an old broken spa and was generally unsafe for the children.

In addition, the home did not have an emergency plan nor was there a way to escape from the upstairs children's bedrooms in case of an emergency or fire. The home also did not have a posted emergency contact sheet and disaster drills were not being conducted.

Two of the four children interviewed stated that their weekly trips to church were the only outside leisure activities that the foster parents provide them. The children stated that they enjoyed playing at the church, but had difficulty understanding the church service. The church service is mostly conducted in Vietnamese. The two children only understand English. In addition, the children complained that it is unsafe to play in their backyard and that they do not receive weekly allowances. The children stated that the foster parents make them sign for their allowances, but then give them candy and fruit instead of money. They also complained about being made to stand for long periods of time in a secluded hallway without moving as punishment. The foster parents used their daughter as an interpreter to communicate with the four foster children since the parents spoke very little English. Subsequent to our review, Refugio's social worker and supervising social worker visited the home several times to verify that all violations were corrected. The foster parents were also placed on six months probation.

For the remaining 10 homes visited:

- Two (20%) homes did not have operable smoke detectors. One of the homes needed a smoke detector in the hallway to the children's bedroom and the other home needed batteries in the smoke detector in the hallway to the children's bedroom.
- One (10%) home did not have an emergency disaster plan. In addition, another home (10%) did not have a way for the children to escape from their second story bedroom. The stairwell leading to the children's bedroom in this home was steep and did not have proper railing at the top of the stairs posing a safety hazard.
- Three (30%) homes did not conduct semi-annual emergency drills with the children.
- One (10%) home had a rifle appropriately locked in the master bedroom closet. However, the ammunition for the rifle was stored in an unlocked drawer in the foster parent's night stand.
- One (10%) home did not lock prescription medication and three (30%) homes did not lock toxins and detergents.
- One (50%) of the two homes with pools did not have a self-latching gate that swung away from the pool.

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COUNTY OF LOS ANGELES*

**Refugio Para Niños Foster Family Agency****Page 3****Foster Parent Certification**

According to the County contract and Title 22 requirements, Refugio needs to evaluate the foster parents' ability to effectively care for more than two children prior to placing more than two children in the home. In addition, adults living in the home need criminal and child abuse clearances, and health screenings. The Agency also needs to ensure that individuals who transport the children possess a valid driver's license and automobile insurance. If the home has a pool, the Agency needs to ensure that the foster parents possess a water safety certificate. Foster parents are required to receive 12 hours of training in their first year as foster parents and 15 hours of training per year after the first year.

Our review of the 11 foster homes and 21 foster parents noted the following:

- For eleven (100%) of the eleven foster homes, Refugio did not conduct an assessment to evaluate the foster parent's ability to effectively care for more than two children prior to placing more than two children in the home. An average of four children were placed in each home.
- For three (27%) of the eleven foster homes, Refugio did not obtain criminal and child abuse clearances and/or health screenings for all of the adults living in the homes. For one home, the Agency did not obtain criminal and child abuse clearances and a health clearance for the foster parent's daughter-in-law. For the remaining two homes, the Agency did not obtain criminal and child abuse clearances for the foster parents' one adult son and one adult daughter living in the homes.
- For three (27%) of eleven foster homes, Refugio did not have proof of current automobile insurance for the vehicles used to transport the children. In addition, the Agency did not have proof of a valid driver's license or current automobile insurance for a babysitter used by one foster home who uses his car to transport the children.
- For one (50%) of two homes with swimming pools, the foster parents did not obtain water safety certificates.
- For four (19%) of the 21 foster parents, Refugio did not ensure that the foster parents completed the required hours of continuing education. Two foster parents, in their initial year of certification, completed an average of seven hours of the required 12 hours of training. Two other foster parents, who had been certified for more than a year, completed an average of 13 hours of the required 15 hours of yearly training.

**Needs and Services Plans**

According to the County contract and Title 22 requirements, Refugio needs to develop Needs and Services Plans for each child that addresses the child's specific needs and include short and long term goals that are specific, measurable, attainable, and time

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Refugio Para Niños Foster Family Agency

limited. The Plans are to be developed through a collaborative effort of the Agency's social worker and the DCFS Children's Social Worker (CSW). Both social workers need to sign the Plan to document their joint efforts in developing it. In addition, the program participant may also sign the Plan. For children age 14 or older, the Needs and Services Plans are required to address the children's Independent Living Plan. Periodically, the Agency is required to revise the Needs and Services Plans for changes in the children's special needs and their reunification plans.

Our review of the 30 Needs and Services Plans noted the following:

- For all 30 (100%) of the Needs and Services Plans, the Agency did not include short and long term goals that were specific, measurable, attainable and time limited. In addition, 12 (40%) Needs and Services Plans were not individualized to the child. Two sisters shared the identical Needs and Services Plan. The children within two sibling groups of five children also each shared the identical Needs and Services Plan.
- For all 30 (100%) of the Needs and Services Plans reviewed, Refugio staff did not record the date the Plans were prepared.
- For 23 (77%) of 30 Needs and Services Plans, the Agency did not obtain the signatures of the assigned DCFS CSWs indicating their participation or approval of the Plans.
- For three (43%) of seven Needs and Services Plans, for children age 14 and older, the Agency did not address the children's Independent Living Plan.

Children's Case Files

According to the County contract and Title 22 requirements, Refugio responsibilities include ensuring the children receive their allowances, clothing, court mandated therapy/counseling, and inform the children and foster parents of the program requirements and the children's rights. In addition, during a child's first 90 days in a new foster home, Refugio is required to meet with the child at least once a week. After 90 days, Refugio is required to meet with the child once every two weeks. Refugio is required to maintain documentation in the children's case files to document their efforts in these areas.

Our review of the 30 case files noted the following:

- For three (10%) of 30 children's case files, the Agency did not maintain documentation to ensure the children were receiving their allowances.
- For seven (23%) of 30 children's case files, the Agency did not maintain documentation to ensure the foster parent purchased the required amount of clothing for the children.

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**Refugio Para Niños Foster Family Agency****Page 5**

- For three (10%) of 30 children's case files, the Agency did not maintain documentation to ensure the children were receiving court mandated therapy/counseling.
- For eight (73%) of the 11 children in which the children were placed in the home during September 2004 through July 2005, Refugio staff did not conduct the required weekly meetings with the children during the children's first three months at their new homes. Refugio staff visited the children an average of once every two weeks. In addition, for three (10%) of the 30 children, Refugio staff visited them an average of once every three weeks between June and September 2005.
- For 12 (40%) of 30 children's files reviewed, the Agency did not maintain documentation indicating that the Agency informed the foster parents and the children of its program and procedures.

**Medical Services**

According to the County contract and Title 22 requirements, Refugio is required to ensure that the children receive the appropriate medical and dental services.

Our review of the 30 case files noted the following:

- For four (13%) of the 30 children, the Agency did not ensure that the children received their routine annual medical and dental exams in a timely manner. One child's annual medical exam was three months late and his dental exam was four months late. The second child's annual dental exam was four months late. The third child's annual medical exam was two months late and her annual dental exam was three months late. The fourth child's annual medical exam was two months late.
- For two (40%) of the five children on psychotropic medications, the Agency did not have current court authorizations for the administration of their medication in their case files as required by the County contract. Subsequent to our review, Refugio obtained the required court authorizations.
- For all five (100%) of the children on psychotropic medications, the Agency did not have the medications incorporated as part of their overall treatment plans. The County contract and Title 22 regulations require that children receiving psychotropic medications have such prescriptions incorporated as part of their overall treatment plan.

**Reporting Requirements**

According to the County contract and Title 22 requirements, Refugio is required to prepare a Special Incident Report (SIR) in instances in which a child exhibits extreme and inappropriate behavior or are injured. In addition, the Agency is required to prepare



**Refugio Para Niños Foster Family Agency****Page 6**

Quarterly Reports for each child on the child's progress to meet their Needs and Services Plan goals. When a child ends their placement, the Agency is required to prepare a Termination Report that summarizes the child's activities and development during their time at the foster home.

Our review of the Agency's ability to follow the County contract's reporting requirements noted the following:

- Refugio's staff did not always prepare Special Incident Reports (SIR) when a child exhibited reportable behavior or when a child was injured. We noted three behavioral incidents for one child and an injury that another child received that required the Agency to prepare a SIR and submit a copy to DCFS and CDSS Community Care Licensing Division. In all four instances, an SIR was not prepared.
- For 36 (40%) of 90 children whose placement ended during June and July 2005, Refugio did not prepare the required Termination Report for the DCFS CSW. For the 54 termination reports that were prepared, 24 reports (44%) did not contain a closing summary of the Agency's records related to the children's placements as required by the County contract.
- For all 30 (100%) of the Quarterly Reports reviewed, the Agency did not record the date the reports were prepared. As a result, we could not determine if they were prepared on time. The County contract requires that Refugio prepare and submit a Quarterly Report to each child's DCFS CSW by the 10<sup>th</sup> business day following the end of each quarter from the date the child was placed.
- For six (20%) of the 30 Quarterly Reports, the Agency did not update the children's permanency planning goals. All six reports indicated that the children's permanency plans were family reunification. However, all six children had exceeded the 18 month court-ordered time frame for family reunification services. The County contract requires that the Agency include a discussion in the Quarterly Reports on any changes in the children's permanency plan.
- For six (86%) of seven Quarterly Reports for children ages 14 and older, the Agency did not include an Emancipation Preparation Contract as part of the report as required by the County contract.
- For 15 (50%) of 30 Quarterly Reports, the Agency did not include an assessment of children's unmet needs and efforts to meet those needs as required by the County contract.

**Monthly Placement Payments and Clothing Allowance**

The Agency did not return the placement funding that they received from DCFS between December 2004 and August 2005 for one child who left the Agency's care in December 2004. The overpayments totaled approximately \$11,000. In addition, the Agency did

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**Refugio Para Niños Foster Family Agency****Page 7**

not return approximately \$300 that they received from DCFS related to three children the Agency had no record of the children being assigned to them.

The Agency also received approximately \$600 in clothing allowance payments for three children during July 2005. The monies were to be immediately forwarded to the foster parent to purchase clothing for the children. However, as of October 2005, the Agency had not forwarded the monies to the three foster parents. The Agency recorded the \$11,300 in monthly placement overpayments and the \$600 in clothing allowances in two miscellaneous revenue accounts. Subsequent to our review, Refugio repaid the overpayments identified.

According to Refugio management, when the Agency receives revenue and is unsure where to appropriately allocate the funds, the revenue is posted to the miscellaneous account until proper identification has been determined. At the time of our review, the two accounts totaled approximately \$128,700 which included the \$11,900 noted above. DCFS needs to work with Refugio to determine the disposition of the \$128,700 and pay DCFS for any amounts overpaid.

**Recommendations****Refugio management:**

1. **Ensure that staff adequately monitor foster homes and foster homes comply with the County contract and Title 22 Regulations.**
2. **Ensure that assessments are completed to evaluate a foster home's capability to provide quality care for more than two placements prior to placing more than two children in the home.**
3. **Ensure that criminal, child abuse, and health clearances are obtained for children's caregivers.**
4. **Ensure that foster parents or their designated drivers possess a valid driver's license and auto insurance.**
5. **Ensure foster parents with swimming pools maintain a current water safety certification.**
6. **Ensure that foster parents complete the required number of yearly continuing education hours specified in the County contract.**
7. **Ensure that the Needs and Services Plans, Special Incident Reports, Termination Reports, and Quarterly Reports are completed in accordance with the County contract and Title 22.**

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**Refugio Para Niños Foster Family Agency****Page 8**

8. Ensure the children's case files contain all information required by the County contract.
9. Ensure children receive their routine annual medical and dental examinations within the timeframes specified in the County contract.
10. Ensure that current court authorizations for children using psychotropic medication are maintained and the medication is incorporated as part of the child's overall treatment plan.
11. Ensure that funds received from DCFS for placements that are no longer in Refugio's care are promptly returned to DCFS and that clothing allowance funds are promptly forwarded to the foster parents.
12. Repay DCFS \$11,300.
13. DCFS work with Refugio to determine the disposition of the \$128,700 and pay DCFS for any amounts overpaid.

**CLIENT VERIFICATION****Objective**

To determine whether the program participants actually received the services—that Refugio billed DCFS.

**Verification**

We interviewed 18 children placed in 11 Refugio certified foster homes and 11 foster parents to confirm the services Refugio billed to DCFS.

**Results**

Overall, the foster parents interviewed stated that the services they received from Refugio generally met their expectations and their assigned social workers visited them regularly. The children interviewed also stated that they enjoyed living with their foster parents. However, as previously noted, two children living in one home complained that the foster parents did not provide them with enough outside leisure activities, did not always pay them an allowance, and sometimes punished them by making them stand for long periods of time in a secluded hallway.

**Recommendation**

There are no recommendations for this section.

**AUDITOR-CONTROLLER**  
**COUNTY OF LOS ANGELES**

**Refugio Para Niños Foster Family Agency****Page 9****STAFFING/CASELOAD LEVELS****Objective**

Determine whether Refugio's social workers' case loads do not exceed 15 placements and whether the supervising social worker does not supervise more than six social workers, as required by the County contract and CDSS Title 22 regulations.

**Verification**

We interviewed the executive director, FFA administrator and reviewed personnel files for the Agency's seven supervising social workers and 24 social workers employed full-time and 4 social workers employed part-time. We also reviewed case load statistics and payroll records for June and July 2005.

**Results**

The 24 social workers employed full-time maintained an average caseload of 12 cases and the four social workers employed part-time maintained an average caseload of eight cases. In addition, the seven supervising social workers each supervised an average of five social workers during June and July 2005.

**Recommendation**

There are no recommendations for this section.

**STAFFING QUALIFICATIONS****Objective**

Determine whether Refugio's staff possess the education and work experience qualifications required by their County contract and CDSS Title 22 regulations. In addition, determine whether Refugio conducted hiring clearances prior to hiring their staff, provided ongoing training to staff and conducted performance evaluations.

**Verification**

We interviewed Refugio's human resources director. In addition, we reviewed each staff's personnel file for documentation to confirm their education and work experience qualifications, hiring clearances, ongoing training and performance evaluations.

**Results**

Refugio's conducted the appropriate hiring clearances for the Agency's administrator, supervising social workers and social workers. In addition, the Agency's administrator, seven supervising social workers and 27 of 28 social workers possessed the required

*AUDITOR-CONTROLLER*  
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**Refugio Para Niños Foster Family Agency****Page 10**

education and work experience required by the County contract and Title 22 regulations. However, one of the Agency's social workers did not meet the educational requirements of the County contract and Title 22 regulations and the Agency did not have an exception on file from CDSS Community Care Licensing Division for this employee as required by the County contract.

In addition, four (11%) of the 35 social workers/supervising social workers did not complete the required number of hours of training for Calendar Year 2004. The four employees completed an average of three hours of training during the year. The contract requires that staff receive at least 10 hours of training.

**Recommendations****Refugio management:**

14. Ensure that the social workers possess the appropriate educational requirements or obtain a waiver from Community Care Licensing permitting the use of staff who do not possess the required education.
15. Ensure all staff complete the training required by the County contract.

Attachment  
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## REFUGIO PARA NIÑOS

*Foster Family Agency*

December 20, 2005

To: Mayor Michael D. Antonovich  
Supervisor Gloria Molina  
Supervisor Yvonne B. Burke  
Supervisor Zev Yaroslavsky  
Supervisor Don Knabe

From: Tomas Fernandez *T.F.*  
Executive Director

Subject: Refugio Para Ninos Foster Family Agency's Correction Plan for  
the review conducted by the County of Los Angeles Department of  
Audit-Controller Countywide Contract Monitoring Division.

The FFA is in general agreement with the deficiencies found during the  
audit conducted by the LA County Department of Audit-Controller  
Countywide Contract Monitoring Division.

Refugio Para Ninos Foster Family Agency is committed to fixing the  
deficiencies in the audit report and implementing the recommendations  
contained in the report.

Refugio Para Ninos Foster Family Agency is working with the Auditor  
Controller in developing a Corrective Action Plan and will submit the Plan  
to your BOARD within 30 days.

In order to comply with all deficiencies found during the review  
conducted by the LA County Department of Audit-Controller  
Countywide Contract Monitoring Division, Refugio Para Ninos has  
develop and implemented a policy of "Zero Tolerance" and all Staff is  
accountable and subject to disciplinary actions as follows:

1. First Violation – A verbal and written warning will be given to the  
Staff worker who is in violation
2. Second Violation – Staff worker will be given a written warning  
followed by suspension of their flex time

Attachment  
Page 2 of 2

3. **Third Violation – Staff worker will be given a written third warning followed by suspension from work for a month subject to termination of employment**

ATTACHMENT III



DAVID SANDERS, PH.D.  
Director

**County of Los Angeles**  
**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**  
425 Shatto Place -- Los Angeles, California 90020  
(213) 351-5602

Board of Supervisors  
GLORIA MOLINA  
First District  
YVONNE B. BURKE  
Second District  
ZEV YAROSLAVSKY  
Third District  
DON KNABE  
Fourth District  
MICHAEL D. ANTONOVICH  
Fifth District

January 09, 2006

To: Ed Sosa, Division Chief  
Out-of-Home Care Management Division

From: Elizabeth A. Howard, CSA III  
Out-of-Home Care Management Division

**REQUEST FOR ADMINISTRATIVE "HOLD" STATUS**

Refugio Para Niños Foster Family Agency  
100 N. Citrus Street, Suite 205  
West Covina, Ca. 91791  
(626) 858-8687

License # 197801047  
Vendor # 109213-8  
DCFS placements: 238

**BACKGROUND**

This is to request that an **ADMINISTRATIVE HOLD** status be placed on Refugio Para Niños Foster Family Agency. This action is based on the programmatic findings of the Department of Children and Family Services (DCFS) and the Office of the Auditor-Controller (A-C).

**REASONS FOR REQUESTED ACTION**

- The August 2005 Refugio monthly report to the Board of Supervisors indicated that during the July 2005 review, the DCFS Out-of-Home Care Management Division (OHCMD) noted specific programmatic issues related to completion of Needs and Services Plans. During the review, it was noted that the children's Needs and Services Plans and case notes were not individualized; the Plans were not dated and they did not have the DCFS Social Workers, the certified foster parents, and the children's signatures indicating participation and/or approval of the Plans. Additionally, the Plans were not in narrative form and they did not present a clear



Page 2

picture of the children's needs; and some children and foster parents stated that they were not familiar with the Plans.

- As stated in the September 2005 Refugio report, during August 2005 review the DCFS, OHCMD expanded the scope of the review to include monitoring performance with regard to Safety, Permanency, and Well-being/Education/Emancipation. We noted that Refugio's Social Workers were not always submitting Special Incident Reports (SIR) as per Community Care Licensing (CCL) Title 22 Regulations and the Contract. The OHCMD requested another CAP, which was submitted timely by Refugio and approved by the OHCMD. However, because all the deficiencies noted were considered serious violations of the Contract and Title 22 Regulations, on September 15, 2005 the OHCMD requested that the A-C's Countywide Contract Monitoring Division conduct a comprehensive audit of Refugio.
- On December 30, 2005, the A-C's Countywide Contract Monitoring Division issued a program audit report. The report identified several programmatic issues that impacted the children's quality of care. The report noted that Refugio needed to immediately improve their oversight of their foster homes. In addition, Refugio needed to improve the quality of the children's Needs and Services Plans and the other tools used to monitor the safety and well-being of the children placed under their care.

Given the reasons stated above and our concerns regarding children's safety, we are requesting that Refugio Para Niños Foster Family Agency be placed on Administrative HOLD status, pending further action, and to prevent any future placements.

ADMINISTRATIVE HOLD APPROVED:

  
Ed Sosa, Division Chief

1-8-06  
Date

## ATTACHMENT IV



DAVID SANDERS, PH.D.  
Director

County of Los Angeles  
**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**  
425 Shatto Place – Los Angeles, California 90020  
(213) 351-5602

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Fourth District  
MICHAEL D. ANTONOVICH  
Fifth District

January 10, 2006

Tomás Fernández, Executive Director  
Refugio Para Niños Foster Family Agency  
100 N. Citrus Street, Suite 205  
West Covina, Ca. 91791

Dear Mr. Fernández

**NOTICE OF PLACEMENT OF ADMINISTRATIVE "HOLD" ON REFUGIO PARA NIÑOS FOSTER FAMILY AGENCY**

This serves as a notice that effective January 9, 2006, an Administrative Hold has been placed on Refugio Para Niños Foster Family Agency. This action is based on the programmatic findings of the Department of Children and Family Services (DCFS) and the Office of the Auditor-Controller (A-C).

**REASONS FOR REQUESTED ACTION**

- The August 2005 Refugio monthly report to the Board of Supervisors indicated that during the July 2005 review, the DCFS Out-of-Home Care Management Division (OHCMD) noted specific programmatic issues related to completion of Needs and Services Plans. During the review, it was noted that the children's Needs and Services Plans and case notes were not individualized; the Plans were not dated and they did not have the DCFS Social Workers, the certified foster parents, and the children's signatures indicating participation and/or approval of the Plans. Additionally, the Plans were not in narrative form and they did not present a clear picture of the children's needs; and some children and foster parents stated that they were not familiar with the Plans.
- As stated in the September 2005 Refugio report, during August 2005 review the DCFS, OHCMD expanded the scope of the review to include monitoring performance with regard to Safety, Permanency, and Well-being/Education/Emancipation. We noted that Refugio's Social Workers were not

Page 2

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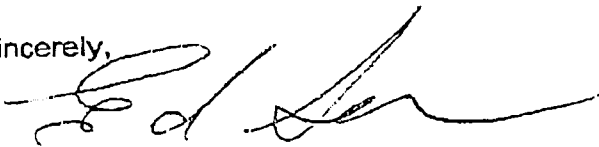
- On December 30, 2005, the A-C's Countywide Contract Monitoring Division issued a program audit report (Attached). The report identified several programmatic issues that impacted the children's quality of care. The report noted that Refugio needed to immediately improve their oversight of their foster homes. In addition, Refugio needed to improve the quality of the children's Needs and Services Plans and the other tools used to monitor the safety and well-being of the children placed under their care.

Given the reasons stated above and our concerns regarding children's safety, we are placing Refugio Para Niños Foster Family Agency on Administrative HOLD status, pending further action, and to prevent any future placements. The Hold status has been in effect since January 9, 2006.

We would like to invite Refugio to a Review Conference within 30 days of the receipt of the faxed copy of this letter. During the Review Conference, Refugio will have the opportunity to discuss and respond to the findings by both DCFS and the A-C and to present additional information. However, Refugio must respond within five business days of the day of the postmark of this letter as to whether the agency wants to attend the Review Conference. Failure to respond by the deadline will result in default or waiver by Refugio to proceed with the Review Conference.

If you have any questions, please contact Elizabeth Howard, OHCM Program Manager, at (626) 569-6804.

Sincerely,



Ed Sosa, Division Chief  
Out-of-Home Care Management Division

ES:nv



DAVID SANDERS, PH.D.  
Director

**County of Los Angeles**  
**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**  
425 Shatto Place -- Los Angeles, California 90020  
(213) 351-5602

Board of Supervisors

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ZEV YAROSLAVSKY  
Third District

DON KNABE  
Fourth District

MICHAEL D. ANTONOVICH  
Fifth District

February 27, 2006

TO: Mayor Michael D. Antonovich  
Supervisor Zev Yaroslavsky, Chair Pro Tem  
Supervisor Yvonne B. Burke  
Supervisor Gloria Molina  
Supervisor Don Knabe

FROM: David Sanders, Ph.D.   
Director

**APRIL 26, 2005 BOARD AGENDA ITEM #22: REFUGIO PARA NIÑOS MONTHLY REPORT**

As the Department of Children and Family Services (DCFS) has been charged with providing monthly reports of Refugio Foster Family Agency (Refugio) to the Board, the following summarizes the monitoring visit conducted by DCFS, Out-of-Home Care Management Division (OHCMD), and fiscal reports from the Auditor-Controller (A-C) and DCFS Fiscal Monitoring and Special Payments Section, which outline the activities for January 2006.

**FISCAL ISSUES**

The DCFS Fiscal Monitoring and Special Payments Section reported that Refugio submitted its January 2006 monthly expenditure report timely, there were no issues to report and they are up to date on their repayment plan. Refugio's monthly expenditure report is attached (Attachment I).

The A-C's Audit Division conducted a more in-depth fiscal monitoring review of Refugio. The issuance of a final written report is pending.



### **DCFS MONITORING VISITS**

Refugio has 114 certified foster homes where 242 children are currently placed.

As reported in the January 26, 2006 report to the Board, on January 9, 2006, Refugio was placed on Administrative Hold status for up to 45 days based on the DCFS' monitoring and the A-C's programmatic findings. It was also reported that a Review Conference had been scheduled for January 25, 2006 with representatives from Refugio.

The persons present at the Review Conference from Refugio were Tomás Fernández, (who was then the Executive Director), Roland Navarro, Chief Financial Officer, Cynthia Jones, Administrator, Gayle Thomas, Supervising Social Worker, and Mike Brown, Board Member from Refugio. Also present were Lisa Parrish, Deputy Director, Elizabeth A. Howard, CSA III, Néstor Figueroa, CSA II, and Darío Villamarín, CSA I from DCFS.

During the Review Conference, Mrs. Howard identified DCFS' concerns about whether the January 20, 2006 Corrective Action Plan (CAP) submitted by Refugio adequately and promptly addressed the Auditor-Controller's findings in their report dated December 30, 2005. In particular, there were overall systemic issues with regard to some of the noted findings which Refugio did not address in the CAP. At the Review Conference, Refugio presented a January 23, 2006 written addendum to the CAP and verbally presented further details about the system issues addressed in the written addendum and some newly designed forms to effectuate the quality assurance measures outlined.

Refugio made two requests of DCFS at the Review Conference: 1) to lift the Administrative Hold; and 2) to grant them an exception allowing certified foster parents who have been certified less than one year to provide care for more than two children because the agency specializes in sibling groups.

After attending the Review Conference, examining Refugio's submissions in response to the findings, and discussing the submissions with the Auditor-Controller's office, it was the conclusion of DCFS to place Refugio's FFA program on Do Not Refer status for a minimum of 90 days, pending successful completion of the corrective actions discussed at the January 25th Review Conference. Regarding the second request, DCFS will not render a final decision until the OHCMD and the A-C conduct reviews. When the reviews are completed, a determination will be made regarding lifting the Do Not Refer status.

On February 7, 2005, Refugio's Board Member, Mike Brown reported to the OHCMD that as of the date, Tomás Fernández was no longer employed by Refugio, and the position of Executive Director was filled by Gayle Thomas. On February 10, 2006, our Monitor was provided with documentation that Ms. Thomas had been appointed as the new Executive Director.



On February 7, 2005, Refugio was placed on Administrative Do Not Refer. On this same date, Refugio was verbally informed, and a letter was faxed and sent via certified mail notifying Refugio of the Do Not Refer status.

On February 10, 2006, the DCFS Monitor conducted a site visit to Refugio. During the visit, ten currently placed children and four discharged children's files were reviewed. It was noted that Refugio made improvements with regard to the Needs and Services Plans (N&SP). The N&SPs were now more detailed and presented a more complete picture of the children since the agency revamped the forms and included the Contract's required elements. Additionally, one of our recommendations concerning documenting that age-appropriate children are being provided with emancipation services was implemented in the N&SPs. We also noted that the discharge summary was more detailed and indicated the reason children are terminated for services; this was also one of our recommendations.

Refugio's Quality Assurance supervisor and new Executive Director pointed out that the agency has been conducting spot checks on its certified foster homes. The agency indicated during the Review Conference that they would do this to ensure that the homes meet Community Care Licensing (CCL) standards. We were provided with documentation verifying the spot checks.

Copies of the Administrative Do Not Refer notification letter to Refugio and the letter of appointment of Mrs. Thomas as Refugio's new Executive Director are attached (Attachments II and III).

### **SAFETY**

In preparation for monitoring for the safety outcome, the DCFS Monitor researched OHCMD's I-track database to query for Special Incident Reports (SIR) and CWS/CMS Child Protection Hotline (CPHL) from January 15, 2005 to February 15, 2006.

There were two CPHL referrals. The first referral, dated February 9, 2006, reported that a 14-year-old female child was under the influence of alcohol and picked up by the Northridge Police Department. The child was intoxicated when the police brought her to the foster home. The foster mother contacted Refugio's Social Worker to inform him of the incident. Later that day, the child disclosed to the foster mother that she had been "violated." However, the foster mother did not immediately report this disclosure to Refugio, the DCFS CSW, the CPHL, or the police. Furthermore, the foster mother did not take the child to the hospital for a medical examination until the following afternoon.

The outcome of the above mentioned referral is still under investigation by the DCFS CSW. However, our Monitor noted that the foster mother named in the referral had been previously investigated on allegations of child abuse to foster children while certified by another FFA, with some of the allegations deemed substantiated. This



foster mother was subsequently de-certified by the former FFA. Upon review of the file, we noted that the foster mother was not truthful to Refugio when she applied for certification with the agency. She did not indicate in the home study that she had been de-certified by another FFA. This information, and the fact that the foster mother failed to notify Refugio of the child's disclosure that she had been "violated," was shared with Refugio's Executive Director during a site visit on February 13, 2006. On February 15, 2006, Refugio's Executive Director notified the OHCMD that the agency decided to de-certify this foster mother. As of February 22, 2006 the agency was continuing to work with the DCFS CSWs to replace the children.

The second referral, dated February 13, 2006, indicated that a 12-year-old child, who had weekend visits with her biological mother, was not returned to the foster home after the authorized visit. The foster mother called the local police who did not take a report. However, the police went to the child's biological mother's address and they were told that the child's mother no longer lived there. A missing child report was filed. The foster mother and Refugio reported the incident timely and it was appropriately handled. The outcome of the above mentioned referral is still under investigation by DCFS. The CSW's contact notes do not indicate the child's current whereabouts.

Although there were two CPHL referrals, no trends of abuse/neglect were noted for this period of review.

OHCMD found that Refugio has been reporting special incidents in accordance with the reporting requirements as stipulated in the Contract, Section 10.0, Program Reporting Requirements. For this reporting period (January 15, 2006 to February 15, 2006), Refugio filed 20 SIRs. Our current review indicates that the types of incidents reported to take place are not unusual.

However, it is important to note that one of the SIRs indicated that two teenage female children ran away for a couple of hours from the foster home. The children went to a local fast food restaurant where a shooting took place and one of the teenage girls was shot on her shoulder. Although the injury was not life threatening, the child was taken to the hospital for treatment. It appears that the children were at the wrong place at the wrong time as they were reportedly not acquaintances to the people involved in the shooting. The foster mother and Refugio reported the incident timely and it was appropriately handled. The CPHL determined that a referral did not need to be generated.

### **BOARD STRUCTURE**

Refugio's CAP requires that the agency's Board of Directors consists of seven members at all times.



- On February 13, 2005, Refugio's Executive Director reported that their Board has seven members, which was confirmed by the OHCMD. Therefore, Refugio has complied with the CAP (Exhibit U) to have seven Board Members.
- Refugio held a Board meeting on January 17, 2006. A review of the Board meeting minutes for this date reflects that the Board reviewed SIRs as required per Title 22, FFA regulations, Section 88063(8), as recommended by the OHCMD.

### **CONCLUSION**

Our scope of review is limited to this Board order and monitoring of performance with regard to safety. However, in consultation with the A-C, on February 7, 2006, DCFS placed Refugio on Do Not Refer status for up to 90 days pending further reviews by DCFS and the A-C in order to verify compliance with the recommendations made by these two Departments.

During our site visit, we noted some improvement with regard to the quality of the N&SPs, as they are more detailed. However, we feel that more improvement is needed. Refugio's management and Quality Assurance staff must ensure that the agency's supervising Social Workers and Social Workers are fully familiar with the Contract and Title 22 regulations to fully comply with our recommendations.

Although Refugio is cooperating with the A-C and DCFS, the alternative plan of action remains the same as follows, if needed:

### **Alternative Plan of Action**

- Every effort will be made to maintain the children with the same foster parents to avoid placement disruption.
- CSWs who have children placed with Refugio will be instructed to make immediate and regular visits of the children in the Refugio foster homes. If the children's safety is in question, the CSWs will take appropriate action that may include replacing the children.
- The Refugio foster parents will be informed immediately by telephone and letter of the pending termination of the contract with Refugio and the County's plan to review various options with them regarding their ability to continue care of DCFS children placed with them.
- In collaboration with Community Care Licensing (CCL), a meeting will be scheduled immediately with all foster parents where they will be informed of their options to associate themselves with another Foster Family Agency or become licensed foster parents with the State.



Each Supervisor  
February 26, 2006  
Page 6 of 6

- The foster parents will be told to continue to utilize the services of their Agency social worker. If they are not receiving the services from Refugio and/or if safety situations arise, they will be instructed to contact the child's CSW immediately.
- During this entire process, DCFS will be working closely with CCL to consider various options, such as certifying foster parents pending licensure or certification, in the event the contract with Refugio requires immediate termination.

If you have any questions please call me, or your staff may contact Helen Berberian, Board Relations Manager at (213) 351-5530.

DS:LP:ES  
EH:dv

#### Attachments

c: Chief Administrative Officer  
Auditor Controller  
County Counsel  
Board of Supervisors Executive Officer



## ATTACHMENT I

EXHIBIT E

# DEPARTMENT OF CHILDREN AND FAMILY SERVICES

## FOSTER FAMILY AGENCY SEMI-ANNUAL REVENUE AND EXPENDITURE SUMMARY

Agency Name : REFUGIO PARA NINO

Report Period: January 2005

Agency Address: 100 N. Citrus St. Suite 205, West Covina, CA 91791 - 1614

Contact Person: Gayle Thomas - CEO

Phone: (626) 858 -8684

## A. REVENUES:

Sources	(4) Total for Months	(5) Year-to-Date
1. AFDC-FC FFA Revenues	\$ 370,954.00	\$ 370,954.00
2. Other Governmental Revenues (Interest, Gain/Losses on Inv.)	\$ -	\$ -
3. Total Revenues	\$ 370,954.00	\$ 370,954.00

## B. CONTRACT EXPENDITURES

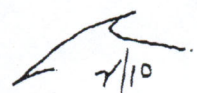
Expenditure Categories	1 Allowable	2 Unallowable	3 Personal	(4) Total for 6 Months (Sum of Co. 1	(5) Year-to-Date
1. Administrative Payroll (Total)					
a. Executive Director's Salary	9,118.00	-	-	9,118.00	9,118.00
b. Clinical Director's Salary	-	-	-	-	-
c. Administrator Salary	5,083.34	-	-	5,083.34	5,083.34
d. Other Administrative Salaries	36,284.22	-	-	36,284.22	36,284.22
2. Recruitment Payroll					
3. Training Payroll	-	-	-	-	-
4. Administrative Contracts					
5. Telephone and Telegraph	5,992.61	-	-	5,992.61	5,992.61
6. Postage and Freight	378.52	-	-	378.52	378.52
7. Office Supplies	6,347.38	-	-	6,347.38	6,347.38
8. Conferences, Meetings	-	-	-	-	-
9. Memberships, Subscriptions/Dues	875.00	-	-	875.00	875.00
10. Printing & Publications	-	-	-	-	-
11. Bonding, Insurance Premiums	11,167.59	-	-	11,167.59	11,167.59
12. Advertising	3,834.94	-	-	3,834.94	3,834.94
13. Miscellaneous	47,398.96	-	-	47,398.96	47,398.96
Subtotal	126,480.56	-	-	126,480.56	126,480.56



Expenditure Categories	1 Allowable	2 Unallowable	3 Personal	(4) Total for 6 Months (Sum of Co. 1	(5) Year-to-Date
14. Building and Equipment Payroll				17,392.02	17,392.02
15. Building Rents and Leases	17,392.02	-	-	-	-
16. Principal and Interest				-	-
17. Property Appraisal Fees				-	-
18. Property Taxes				-	-
19. Equipment and Property Ins.				-	-
20. Utilities				-	-
21. Building Maintenance				-	-
22. Building & Equipment Contracts				-	-
23. Building & Equipment Supplies				2,730.34	2,730.34
24. Equipment Leases	2,730.34			-	-
25. Depreciation Expenses				809.01	809.01
26. Non-Depreciable Equipment	809.01			-	-
27. Building & Equipment Misc.				-	-
28. Vehicle Leases				-	-
29. Vehicle Depreciation				9,462.25	9,462.25
30. Vehicle Operating Costs	9,462.25				
<b>Subtotal</b>	<b>30,393.62</b>	<b>-</b>	<b>-</b>	<b>30,393.62</b>	<b>30,393.62</b>

31. Total Paid to CFH	172,284.43	-	-	172,284.43	172,284.43
32. Other Child Related Costs	6,791.39	-	-	6,791.39	6,791.39
33. Social Worker Payroll	97,725.65	-	-	97,725.65	97,725.65
34. Social Worker Contracts	-	-	-	-	-
<b>Subtotal</b>	<b>276,801.47</b>	<b>-</b>	<b>-</b>	<b>276,801.47</b>	<b>276,801.47</b>

<b>35. Total Expenditures</b>	<b>433,675.65</b>	<b>433,675.65</b>
<b>36. Excess Revenues / Expenditures in Excess of Revenues</b>	<b>(62,721.65)</b>	<b>(62,721.65)</b>
<b>37. Less: Revenues from Other Governmental Sources</b>	<b>-</b>	<b>-</b>
<b>(Section A, Line 2, Column 4)</b>		
<b>38. Unexpended AFDC-FC-FFA Funds/Expenditures in Excess</b>	<b>(62,721.65)</b>	<b>(62,721.65)</b>
<b>of AFDC-FC FFA Revenues</b>		





C. Briefly describe services rendered during the reporting period as required in the Agency's Program Statement

A	Our Program provide the special services needed to nurture children to their fullest mental, emotional and spiritual development
B	RPN's Management and Social Workers worked with all Foster Parents access resources, coordinate services and create an individualized treatment plan for each child.
C	RPN assists and support all Foster Parents in providing foster children's emotional and financial care towards the goal of healthy development of a child.

D. Please indicate any difficulties encountered rendering services and/or complying with the Program Statement. Please indicate any such differences that could jeopardize the timeliness of placement or care provided to a child.

- NONE -

I hereby certify to the best of my knowledge, under penalty of perjury, that the above is true and correct, that all amounts are traceable to Agency accounting records, and that all AFDC-FC monies received for the purposes of this program were spent in accordance with the agreement and all applicable Federal, State and County laws and regulations. Falsification of any amount disclosed herein shall constitute a false claim pursuant to the California Government Code, Section 12650 et seq.

Garth Thomas  
Executive Director

2-10-06  
Date

Accounting Cycle: = Calendar Year

Begins: January 2006 Ends: December 2006

Accounting Basis: = Accrual



## MISCELLANEOUS ACCTS.

	MONTHLY	CUMULATIVE
Executive Pension	-	-
Payroll Taxes	25,299.95	25,299.95
Health Insurance	14,971.12	14,971.12
Workers Comp	(430.91)	(430.91)
Employee Pension	1,500.26	1,500.26
Accounting & Prof.	33.16	33.16
Consultant Expense	1,000.00	1,000.00
Legal Fees	4,324.63	4,324.63
Administrative Expenses	700.75	700.75
Bank Fees	-	-
Continuing Ed	-	-
Penalties	-	-
Recruitment Expense	-	-
Taxes & Licenses	-	-
TOTAL	<u>47,398.96</u>	<u>47,398.96</u>



**ATTACHMENT II**

DAVID SANDERS, PH.D.  
Director

County of Los Angeles  
**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**  
425 Shatto Place -- Los Angeles, California 90020  
(213) 351-5602

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Fifth District

February 7, 2006

Dr. Tomás Fernández, Executive Director  
Refugio Para Niños Foster Family Agency  
100 N. Citrus Street, Suite 205  
West Covina, Ca. 91791

Dear Mr. Fernández

**NOTICE OF PLACEMENT OF ADMINISTRATIVE "DO NOT REFER" (DNR) ON  
REFUGIO PARA NIÑOS FOSTER FAMILY AGENCY**

This is in response to the January 25, 2006 Review Conference meeting held at the Department of Children and Family Services (DCFS). We have consulted with the Auditor-Controller's (A-C) Office and reviewed the Refugio FFA (Refugio) Corrective Action Plan (CAP), dated January 20, 2006 and the addenda dated January 23, and 25, 2006. The A-C has approved Refugio's CAP and addenda with the condition that all the recommendations are fully implemented within 90 days (May 1, 2006) and maintained on an ongoing basis.

Over the next 90 days, DCFS staff will monitor Refugio's progress on implementing the recommendations contained in the A-C's December 30, 2005 program audit report. In May 2006, the A-C's Countywide Contract Monitoring Division staff plan to conduct a follow up review to determine if the recommendations were appropriately implemented. In June 2006, the A-C will issue a report on the outcome of their review. DCFS plans to evaluate Refugio's Do Not Refer status based on the results of the A-C's follow-up review, and the findings of DCFS's enhanced monitoring between now and then. Failure to comply and fully maintain your CAP may lead to placing Refugio on a "Do Not Use" status.



Page 2

### **REASONS FOR REQUESTED ACTION**

- On December 30, 2005, the A-C's Countywide Contract Monitoring Division issued a program audit report (Attached). The report identified several programmatic issues that impacted the children's quality of care. The report noted that Refugio needed to immediately improve their oversight of their foster homes. In addition, Refugio needed to improve the quality of the children's Needs and Services Plans and the other tools used to monitor the safety and well-being of the children placed under their care. As a result of the issues noted in this report, we placed Refugio on Administrative Hold on January 9, 2006.

### **REVIEW CONFERENCE**

A review conference was held on January 25, 2006. The persons present at the Conference from Refugio were Tomas Fernandez, Executive Director; Roland Navarro, Chief Financial Officer; Cynthia Jones, Administrator; Gayle Thomas, Supervising Social Worker; and Mike Brown, Board member. The DCFS staff present were: Lisa Parrish, Deputy Director; Elizabeth A. Howard, Children's Services Administrator III; Nestor Figueroa, Children's Services Administrator II; and Dario Villamarin, Children's Services Administrator I.

The purpose of the Review Conference was to grant Refugio the opportunity to discuss the reason for the Administrative Hold. During the Review Conference, Ms. Howard pointed out DCFS concerns as to whether the January 20, 2006 CAP adequately and promptly addresses the A-C's findings. In particular, there appeared to be overall systemic issues with regard to some of the noted findings which Refugio did not address in the CAP. At the Review Conference, Refugio presented a January 23, 2006 written addendum to the CAP and verbally presented further details about the system issues addressed the written addendum, as well as some newly designed forms to effectuate the quality assurance measures outlined.

Upon completion of the CAP addendum review, Refugio was asked to provide backup materials to the CAP and addendum, including an updated organizational chart, a updated Needs and Services Plan form, and a document indicating when and how "spot checks" would occur in the certified foster homes.

Refugio made two requests of DCFS at the Review Conference: 1) To lift the Administrative Hold; and 2) To grant them an exception allowing certified foster parents who have been certified less than one year to provide care for more than two children because the agency specializes in sibling groups.

After attending the Review Conference, examining Refugio's submissions in response to the findings, and discussing the submissions with the A-C's office, it is the Department's decision at this time to place Refugio's FFA program on Do Not Refer status, pending successful completion of the corrective actions discussed at the January 25th Review Conference. Regarding the second request, DCFS will not render



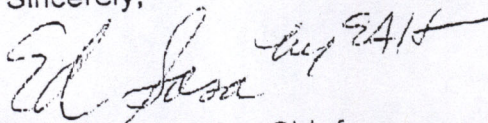
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a final decision until a follow-up report is issued outlining Refugio's accomplishments in implementing the CAP and addendum measures.

Given the reasons stated above and our current concerns regarding adequate quality assurance and children's safety, we are placing Refugio Para Niños Foster Family Agency on Administrative **"DO NOT REFER"** status, pending further action, and to prevent any future placements. The DO NOT REFER status would be in effect as of February 7, 2006.

If you have any questions, please contact me, Ed Sosa, Division Chief, Out-of-Home Care Management Division, at (626) 569-6801.

Sincerely,

A handwritten signature in dark ink, appearing to read "Ed Sosa", with a flourish extending to the right.

Ed Sosa, Division Chief  
Out-of-Home Care Management Division  
Bureau of Resources

ES:EAH:BH

C: Dr. David Sanders, Director, DCFS  
Lisa Parrish, Deputy Director, DCFS  
Elizabeth Howard, DCFS  
Nestor Figueroa, DCFS  
Dario Villamarin, DCFS  
Don Chadwick, Auditor-Controller's Office  
Brian Henricks, Auditor-Controller's Office  
Mike Brown, Board of Directors, Refugio



# ATTACHMENT III

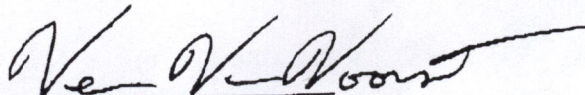
## **REFUGIO PARA NINOS FOSTER FAMILY AGENCY**

### **A Non-Profit Corporation**

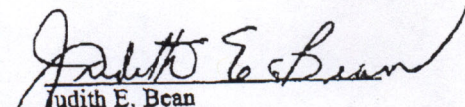
On February 7, 2006, the Board of Directors of Refugio Para Ninos, Foster Family Agency, a California Non-Profit Corporation, met and adopted the following resolution:

**Resolved:** Gayle Thomas be appointed as the Refugio Para Ninos Executive Director for Los Angeles County office, effective 2/7/06.

Board of Directors unanimously approved the resolution.



Vern Van Voorst,  
President/Board of Directors

  
Judith E. Bean  
Board Secretary